



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING **Minor Variance**

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

APPLICATION NO.: HM/A-20:237

APPLICANTS: Bousfields Inc., on behalf of the owner Leggat Investments Ltd.

SUBJECT PROPERTY: Municipal address **191 King St. W. & 22 Bay St. S., Hamilton**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-law 18-114

ZONING: "D2" (Downtown Mixed Use – Pedestrian Focus) district

PROPOSAL: To permit the construction of a 30-storey tower above 2 to 9 storey podium multiple dwelling with accessory Mc Master University Graduate Students Residence and the future development of 22 Bay Street South notwithstanding that;

1. Notwithstanding the definition of "Lot" in Section 3 and the consolidated lot regulation in 4.16 a), the lands located at 191 King Street West and 22 Bay Street South will be deemed a lot and the internal lot lines shall not be construed to be lot lines for the purpose of any zoning regulations provided that all applicable regulations of By-Law 05-200 to the consolidated lot development and its external lot lines are complied with; and

2. To permit a 9.1 m building setback from a street line to be permitted whereas the By-Law requires that a building setback from a street line be a maximum of 2.0 m for any portion of a building below 11.0 m in height, except where a visibility triangle shall be provided for a driveway access; and

3. That no principle entrance shall be provided within the ground floor building façade setback the least distance from a street, whereas a minimum of one principle entrance shall be provided within the ground floor building façade setback the least distance from a street is required; and

4. A minimum 9.0 m setback from the side yard lot line be permitted for the south tower along the side yard abutting 10 George Street, whereas the By-Law requires for any portion of building exceeding 44.0 m in height be a minimum of 12.5 m from all side and rear lot lines; and

5. A 20.0 m tower separation distance be provided between the towers on the subject site, whereas the By-Law requires for any portion of building exceeding 44.0 m in height a distance of 25.0 m shall be provided between exterior wall on the same property; and

6. A 3.575 m ground floor storey height and a 2.8 m 3rd storey height be permitted, whereas the ground floor storey shall be no less than 3.6 m in height and no greater than 4.5 m in height and that the second and third storeys shall each be no less than 3.0 m in height and no greater than 4.0 m in height; and

7. Where a column is located abutting or within any parking space within an above ground or underground parking structure, the minimum clearance shall be 50mm,

whereas the By-Law requires that where a wall, column, or any other obstruction is located abutting or within any parking structure, the minimum width of a parking space shall be increased by 0.3 m; and

Notes:

Variances have been written exactly as requested by the applicant. This property is subject to Site Plan Control application DA-20-058; to date, no formal re-circulation has been submitted by the applicant and a full zoning review has not been conducted for the proposed development. Further variances may be required at such time that a formal zoning review is conducted on the proposed development.

This application will be heard by the Committee as shown below:

DATE: Thursday, December 3rd, 2020
TIME: 2:55 p.m.
PLACE: Via video link or call in (see attached sheet for details)
To be streamed at www.hamilton.ca/committeeofadjustment
for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

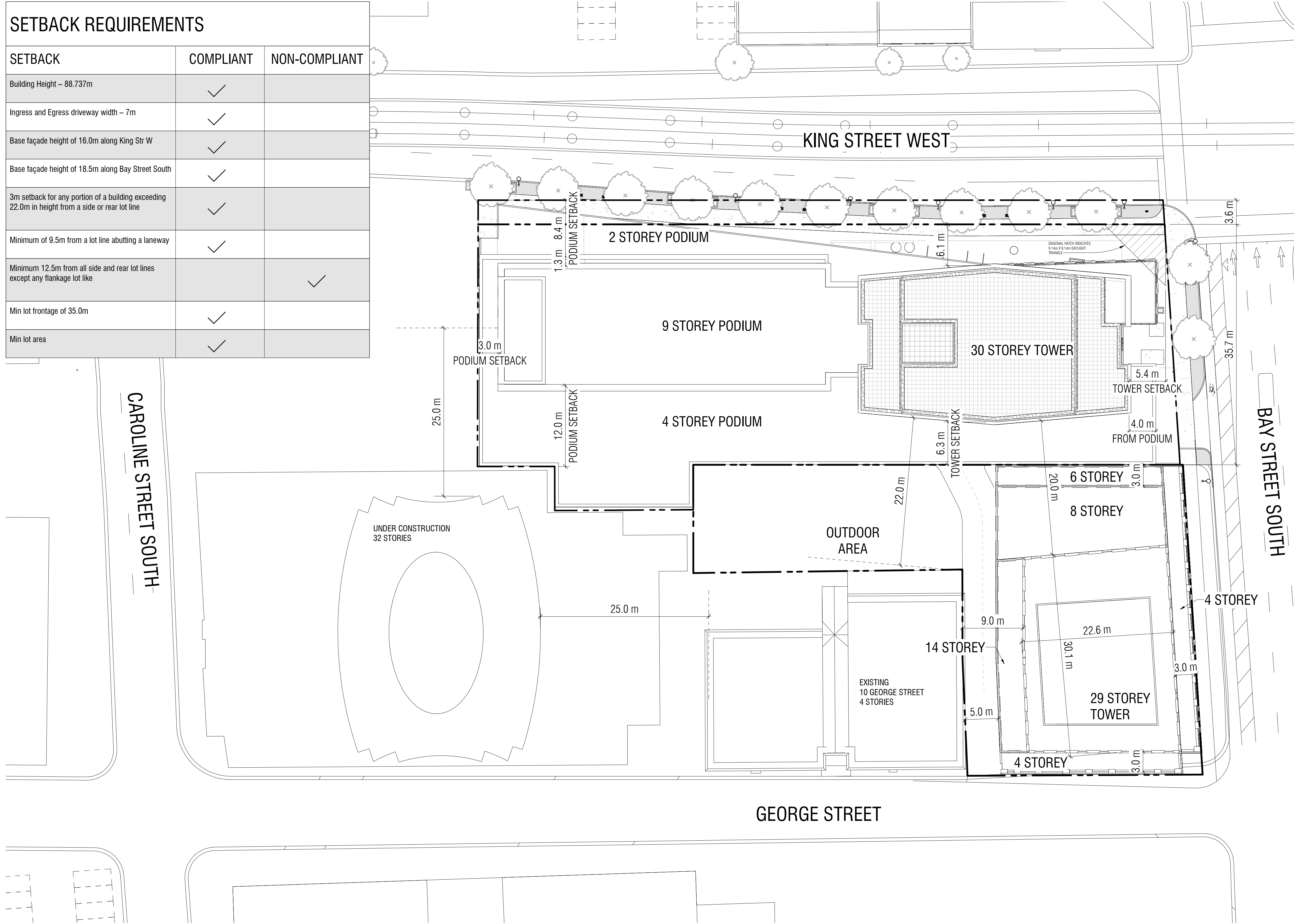
DATED: November 17th, 2020.

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

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SETBACK REQUIREMENTS		
SETBACK	COMPLIANT	NON-COMPLIANT
Building Height – 88.737m	✓	
Ingress and Egress driveway width – 7m	✓	
Base façade height of 16.0m along King Str W	✓	
Base façade height of 18.5m along Bay Street South	✓	
3m setback for any portion of a building exceeding 22.0m in height from a side or rear lot line	✓	
Minimum of 9.5m from a lot line abutting a laneway	✓	
Minimum 12.5m from all side and rear lot lines except any flankage lot like		✓
Min lot frontage of 35.0m	✓	
Min lot area	✓	



ISSUED		
No.	Date	Description

Diamond Schmitt Architects
 384 Adelaide Street West, Suite 100, Toronto, Canada M5V1R7
 Tel: 416 862 8800 Fax: 416 862 5508 info@dsai.ca www.dsai.ca

HAMILTON HIGH RISE

Double-click here to enter Project Address

SITE PLAN

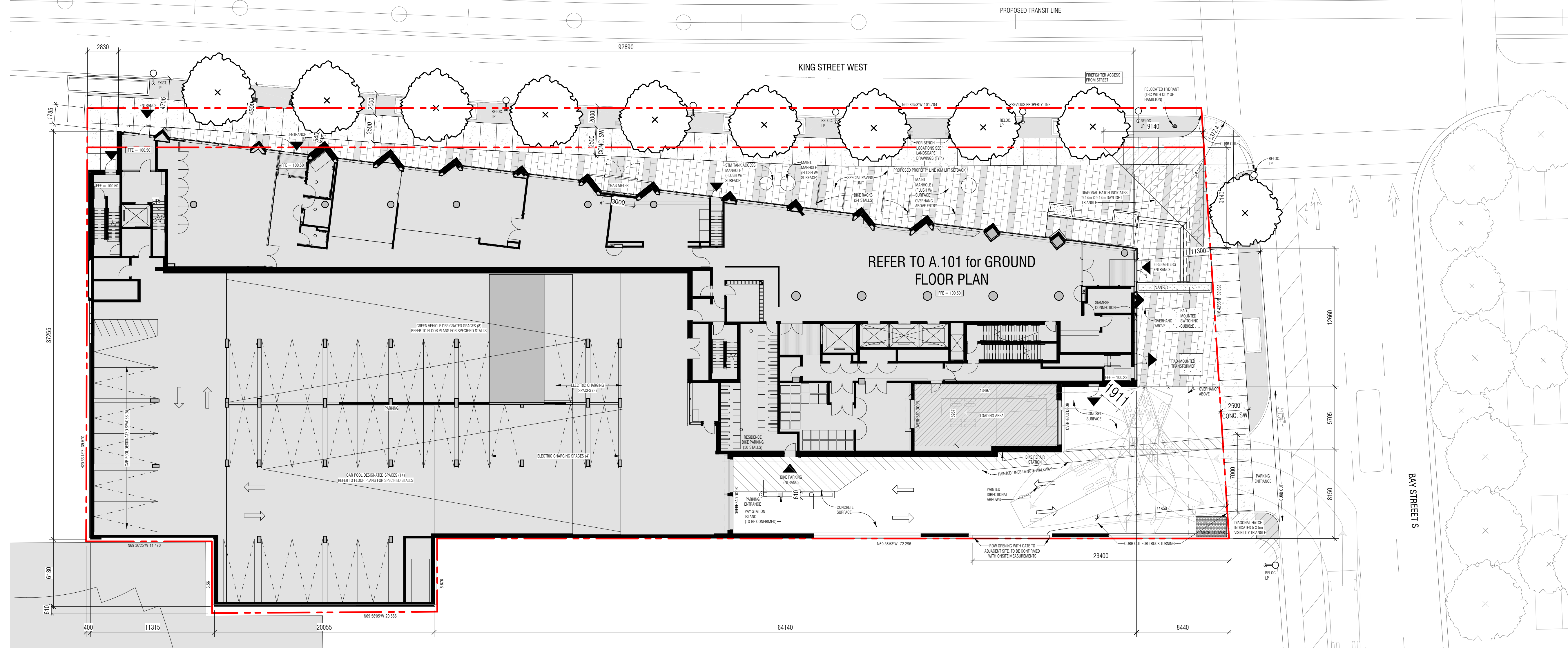
Scale: As indicated
 Project No: Double-click here to enter Project Number
 Date: Double-click here to enter Project Start Date

P0001

Y:\Promotion\2019\Hamilton Res_McMaster_University\massing study -20M SETBACK - OPTION 2.rvt

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1 LEVEL 01 SITE PLAN SPA
A.003 1:200

SITE DATA		
DATA	REQUIRED	PROVIDED
ZONING BY-LAW	05-200	
ZONING	03	
PERMITTED USE	LOADING HOUSE	
LOT AREA (m ²)	4,192 (m ²) (45,123 SF)	
LOT AREA (m ²) AFTER LIT R.O.W. REDUCTION	3,739 (m ²) (40,246 SF)	
FRONT YARD (NORTH) (m)	min 2.0m	0.5 m
REAR YARD (EAST) (m)	min 2.0m	1.0 m
REAR YARD (SOUTH) (m)	n/a	0 m
REAR YARD (WEST) (m)	n/a	0 m

LANDSCAPE DATA		
DATA	REQUIRED	PROVIDED
BUILDING AREA (%) (GROUND FLOOR ONLY)	265.0 (m ²) 2,739 = 76.5%	
DRIVEWAY AREA (m ²)		442.7 m ²
LANDSCAPE AREA (INCL. SIDEWALKS) (m ²)		427.8 m ²

VEHICLE PARKING DATA		
DATA	REQUIRED	PROVIDED
RESIDENTIAL PARKING UNITS > 50m ²	0.15 UNIT OVER 12 UNITS = 0.225 (12 x 12) x 4 0.5 UNIT FOR 12-45 UNITS = 0.5 (12 x 3) x 1.5 0.5 UNIT FOR 45-115 UNITS = 0.5 (12 x 3) x 3 = 0.5 (12 x 3) x 4 TOTAL 260 STALLS	P1 40 P2 50 L1 50 L2 49 L3 44 L4 12 TOTAL 200 STALLS
BARRIER FREE PARKING	1.49 spaces min 1 space = 1 50-100 spaces min 4% = 2 101-200 spaces min 5% = 3 = 0.50 spaces / unit	9 STALLS
REDUCED PARKING STALLS	n/a	24 STALLS (8% OF TOTAL)
CARSHARE STALLS	n/a	14 STALLS (8% OF TOTAL)

BIKE PARKING DATA		
DATA	REQUIRED	PROVIDED
INDOOR PARKING	3 - 1.25 spaces/unit	P1 72 L1 50 L2 49 L3 44 L4 12 = 0.50 spaces / unit
OUTDOOR PARKING	0.5 - 2 spaces/unit	28
TOTAL BIKE PARKING		= 0.06 spaces / unit 256

SITE DATA SOURCE
SURVEY INFORMATION IS PROVIDED BY THE CLIENT AND TAKEN FROM:
HOLSTEAD & REMOND LIMITED DETAILED LAND SURVEYS
649 COLBORNE STREET
LONDON, ONTARIO
DRAWING FILE NO. 17-013
PLAN OF SURVEY OF PART OF THE BLOCK BOUNDED BY KING STREET, BAY STREET, GEORGE STREET AND CAROLINE STREET
S.E. 37th FLOOR SURVEY - UNREGISTERED AND PART OF LOT 14 AND PART OF THE ALLIANCE REGISTERED PLAN NO. 114.

BUILDING DATA		
DATA	REQUIRED	PROVIDED
TOTAL NUMBER OF UNITS		433 units
BUILDING COVERAGE (%) (OVERALL COVERAGE)		3,347.6 m ²
GROSS FLOOR AREA (m ²)		38,655.8 m ²
NUMBER OF STOREYS	30 storeys	
BUILDING HEIGHT (SCHEDULE F FIGURE 1)	89 m	88.737 m (max AVG GRADE (88.825 - 110.588 - 100.5))
Average Grade = 100.588		
LOT COVERAGE (%) AFTER LIT R.O.W. REDUCTION		96%

UNIT SIZE BREAKDOWN		
DATA	REQUIRED	QUANTITY
DWELLING UNITS LESS THAN 50m ²		305
DWELLING UNITS GREATER THAN 50m ²		103
DWELLING UNITS WITH 3 OR MORE BEDROOMS		0

AREA BREAKDOWN		
LEVEL	SO. M	SO. FT
PARKING PDI	1,269.6	13,666
PARKING PDI	3,276.6	35,291
L1 - GROUND	2,862.0	30,882
L2 - MEZANINE	2,143.9	23,077
L3 - RESIDENCE (PARKING LEVEL, 2 FLOORS)	6,227.5	67,030
L4 - TYP. PODIUM RESIDENCE A	1,763.6	18,956
L5 - TYP. PODIUM RESIDENCE B (4 FLOORS)	7,714.4	77,224
L6 - TOWER AT PODIUM ROOF	846.5	9,103
L7 - L14, 16-19, 21-24, 26-29, TYP. TOWER RESIDENCE (16 FLOORS)	13,518.0	144,133
L15, 20, 25 - TYP. TOWER RESIDENCE IN COMMON AREA	2,545.5	27,400
L30 - RESIDENCES	848.5	9,133
SEA (GRADE GRADE)	38,026.9	409,310
CONSTRUCTION AREA (INCL. BELOW GRADE)	45275.1	487,374
PARKING STRUCTURE GFA	12,372.8	132,114
RESIDENTIAL ONLY GFA	30,301.3	326,157

SITE LEGEND		
CONCRETE (SEMI-BLACK FINISH AS PER CITY STANDARDS)		
CONCRETE (SEMI-BLACK FINISH)		
SPECIAL PAINTING UNIT		
LOADING AREA		
PROPERTY LINE		
ENTRANCE / EXIT		
FIRE HYDRANT		
GAS METER		
FIRE DEPARTMENT CONNECTION		
LIGHT POST		

UNIT DATA			
UNIT TYPE	# UNITS	# BEDS	
STUDIO BF	1	1	
1 BEDROOM BF	2	2	
2 BEDROOM BF	2	4	
3 BEDROOM BF	1	3	
TOTAL	6	10	

LEVEL 04-09 TYP. PODIUM RESIDENCE (4 FLOORS)			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	2	2	
1 BEDROOM	2	2	
2 BEDROOM	2	4	
3 BEDROOM	1	3	
TOTAL	7	11	

LEVEL 06-09 TYP. PODIUM RESIDENCE B (4 FLOORS)			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	2	2	
1 BEDROOM	3	3	
2 BEDROOM	6	12	
3 BEDROOM	1	3	
TOTAL	12	19	

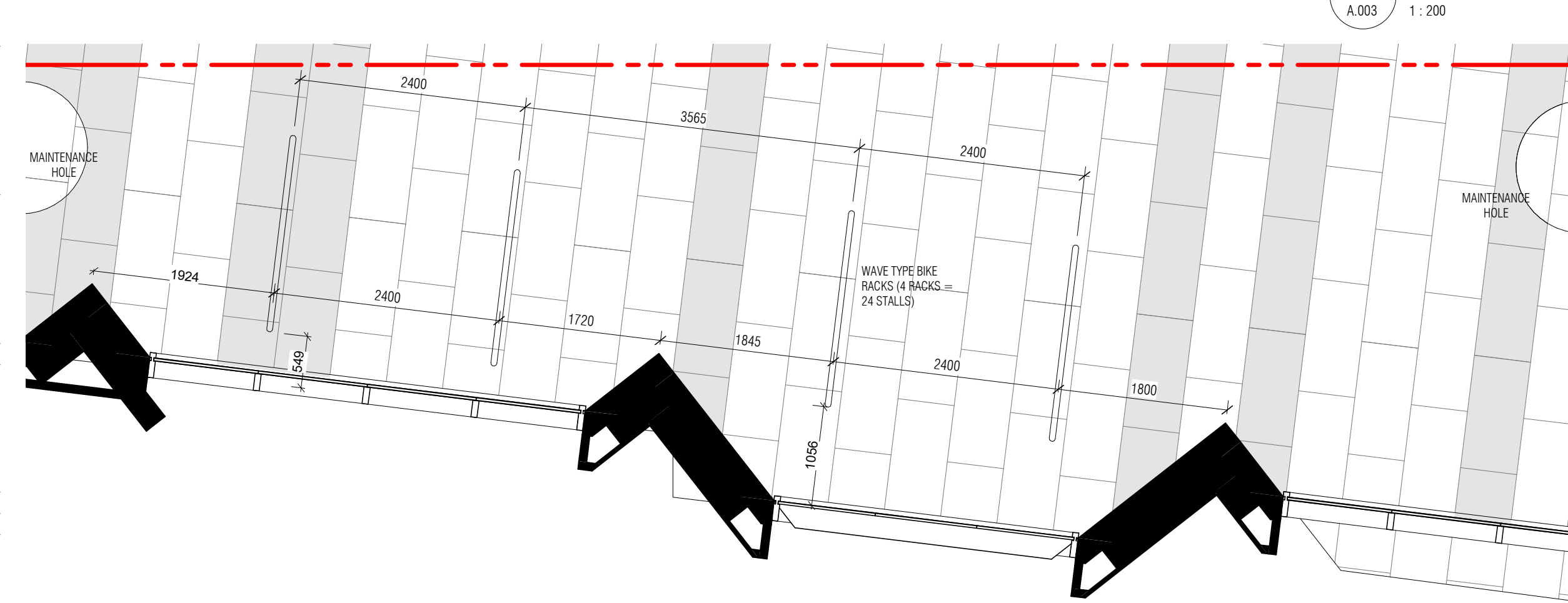
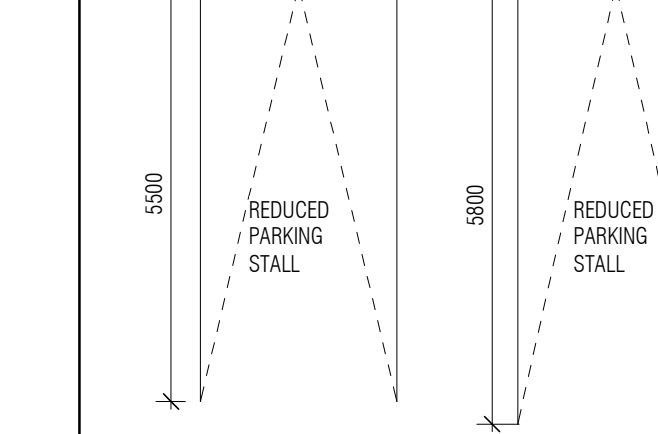
LEVEL 10-14, 21-24, TYP. TOWER RESIDENCE (8 FLOORS)			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	2	2	
1 BEDROOM	5	5	
2 BEDROOM	1	2	
3 BEDROOM	5	10	
4 BEDROOM	1	4	
TOTAL	14	20	

LEVEL 16-19, 26-29, TYP. TOWER RESIDENCE (8 FLOORS)			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	2	2	
1 BEDROOM	4	4	
2 BEDROOM	6	12	
3 BEDROOM	1	3	
TOTAL	13	19	

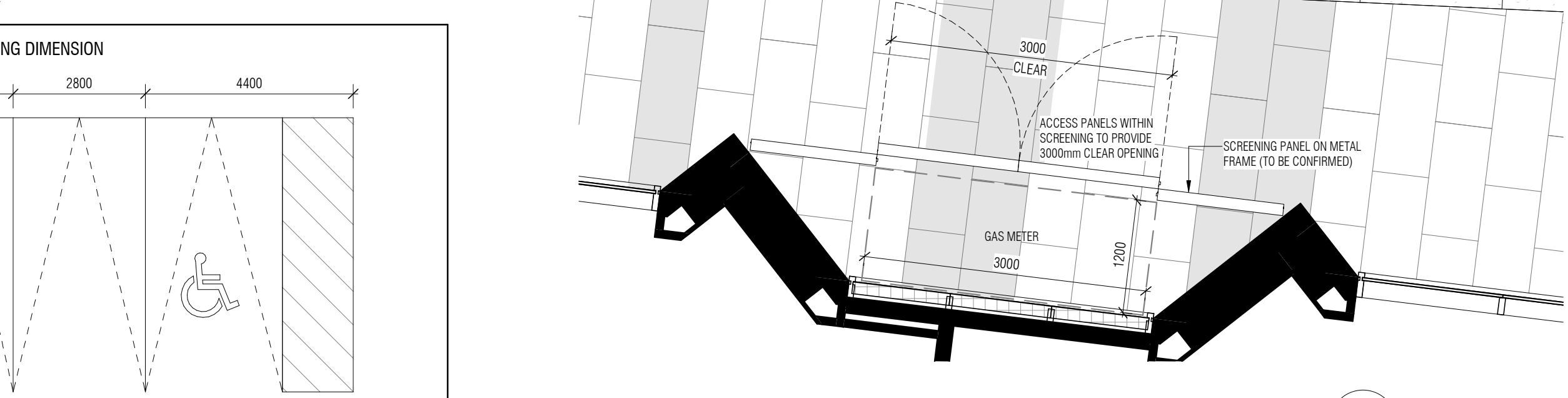
LEVEL 20, 25, 28 (3 FLOORS)			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	2	2	
1 BEDROOM	4	4	
2 BEDROOM	6	12	
3 BEDROOM	1	3	
TOTAL	13	19	

LEVEL 30 - TOWER AT PODIUM ROOF			
UNIT TYPE	# UNITS	# BEDS	
STUDIO	1	1	
1 BEDROOM	4	4	
2 BEDROOM	7	14	
TOTAL	12	19	

BARRIER FREE UNIT			
UNIT TYPE	# BARRIER FREE	# TOTAL	%
STUDIO	9	56	15.5%
1 BEDROOM	31	254	15.2%
2 BEDROOM	29	191	15.2%
TOTAL ALL FLOORS	69	453	15.2%



2 BIKE PARKING DETAIL SPA
A.003 1:50



3 GAS METER DETAIL SPA
A.003 1:50

ISSUED		
No.	Date	Description
1	20/03/31	Issued for Site Plan Approval
5	20/06/25	Issued for SPA Resubmission

Diamond Schmitt Architects
384 Adelaide Street West, Suite 100, Toronto, Canada M5V1R7
Tel: 416 862 8800 Fax: 416 862 5508 info@dsai.ca www.dsai.ca

McMaster University Graduate Student Residence

SITE PLAN

Scale: As indicated
Project No: 1903
Date: 20/07/27

A.003

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ISSUED

No.	Date	Description
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LEGEND

- BR BRICK MASONRY
- LV1 LOUVER
- LV2 LOUVER WINDOW WALL
- MP1 LIGHT BRONZE METAL PANEL
- MP2 SPANDREL METAL PANEL - GREY
- MP3 GREY ALUM PANEL
- ST GREY STEEL CLADDING
- SP1 SPANDREL GLASS WINDOW WALL
- SP2 SPANDREL GLASS CURTAIN WALL
- GL1 VISION GLASS
- GL2 VISION GLASS - TEMPERED
- GL3 VISION GLASS - CURTAIN WALL
- GL4 VISION GLASS - CW EXTERIOR DOORS
- GL5 VISION GLASS - WW EXTERIOR DOORS
- GL6 GLASS GUARD
- OPERABLE WINDOW
- GL#A 'A' AFTER THE GLAZING No. DENOTES ACID ETCHED
- GL#B 'B' AFTER THE GLAZING No. DENOTES BIRD FRIENDLY FRIT

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McMaster University Graduate Student Residence

OVERALL NORTH ELEVATION

Scale: As indicated
Project No: 1903
Date: 20/06/26

1 OVERALL NORTH ELEVATION
1:200

A.301

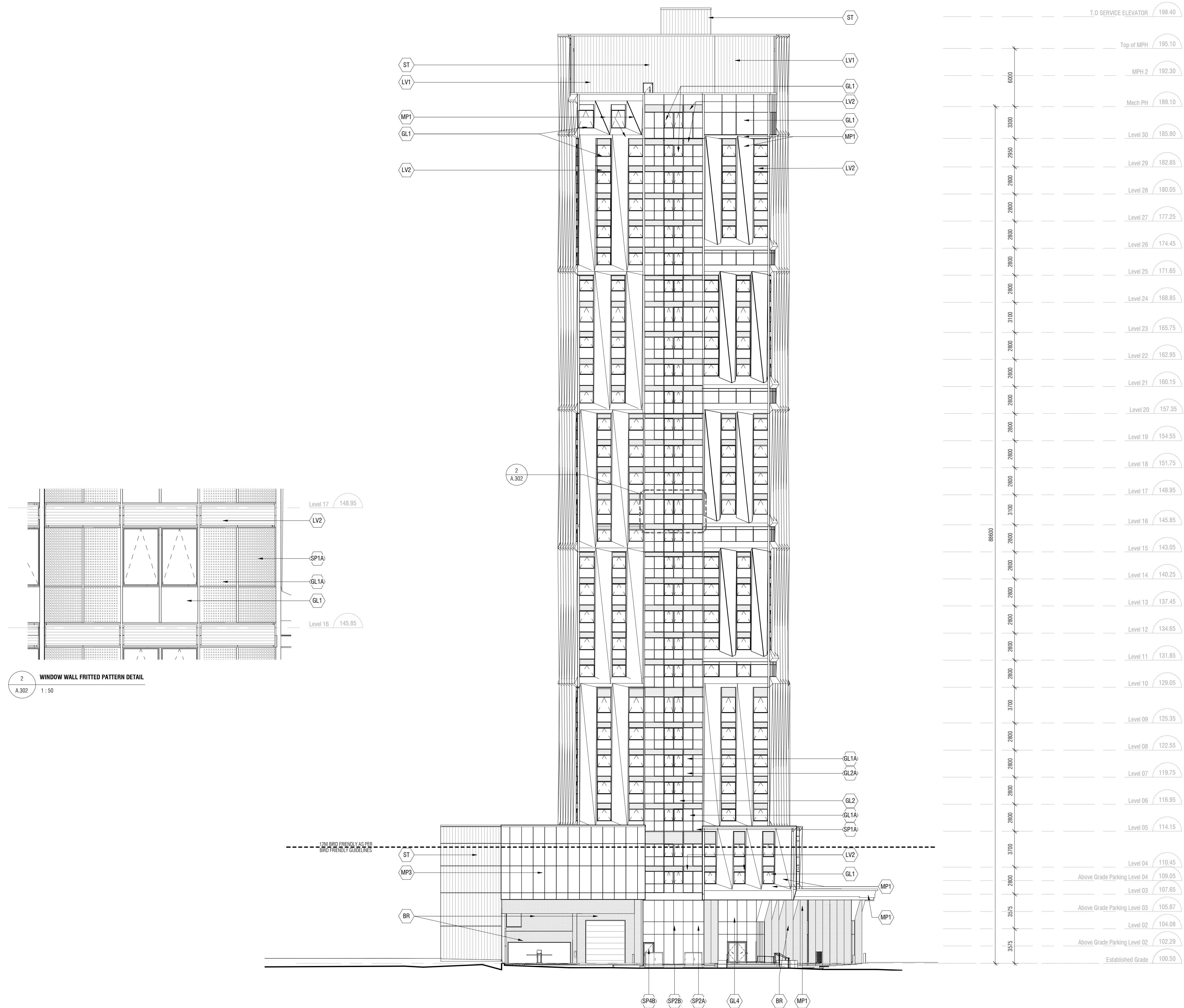
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ISSUED

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MP2	SPANDREL METAL PANEL - GREY
MP3	GREY ALUM PANEL
ST	GREY STEEL CLADDING
SP1	SPANDREL GLASS WINDOW WALL
SP2	SPANDREL GLASS CURTAIN WALL
GL1	VISION GLASS
GL2	VISION GLASS - TEMPERED
GL3	VISION GLASS - CURTAIN WALL
GL4	VISION GLASS - CW EXTERIOR DOORS
GL5	VISION GLASS - WW EXTERIOR DOORS
GL6	GLASS GUARD
OP	OPERABLE WINDOW
GL#A	'A' AFTER THE GLAZING No. DENOTES ACID ETCHED
GL#B	'B' AFTER THE GLAZING No. DENOTES BIRD FRIENDLY FRIT

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McMaster University Graduate Student Residence

OVERALL EAST ELEVATION

Scale: As indicated
 Project No: 1903
 Date: 20/06/26

A.302

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LEGEND

	BRICK MASONRY
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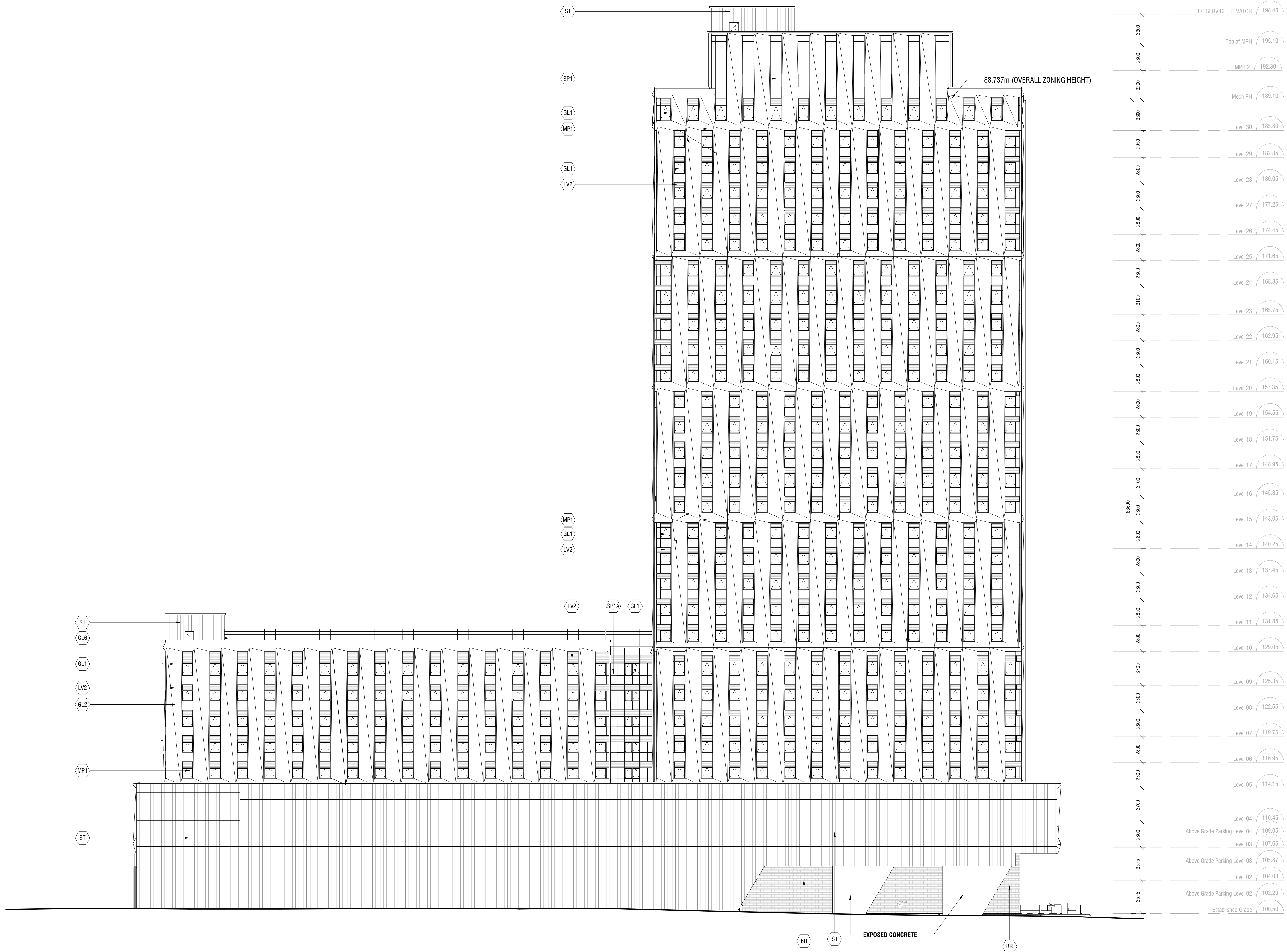
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McMaster University Graduate Student Residence

OVERALL SOUTH ELEVATION

Scale: As indicated
 Project No: 1903
 Date: 20/06/25

A.303

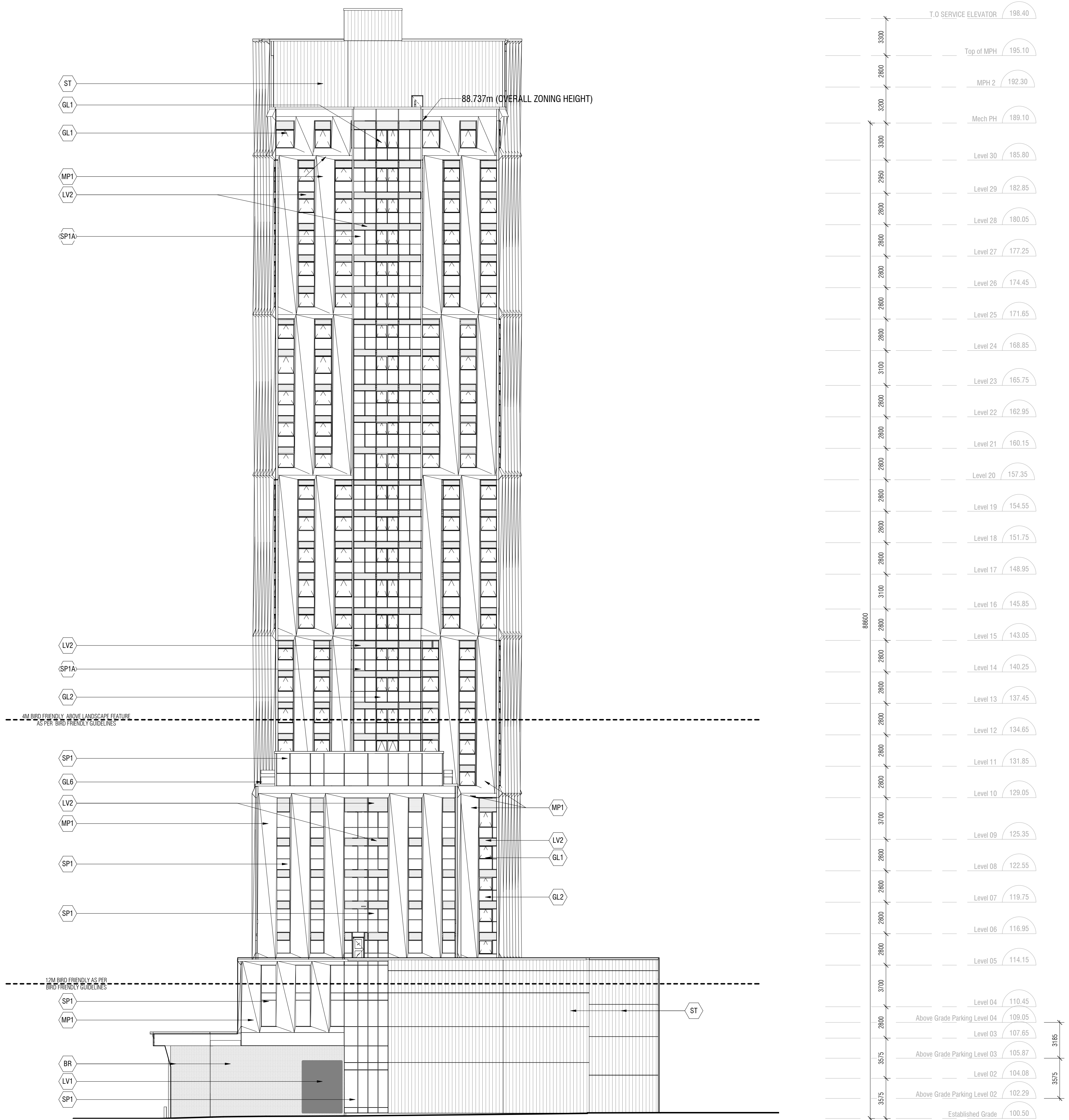


1 OVERALL SOUTH ELEVATION
 1:200

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3300	T.O SERVICE ELEVATOR	198.40
2800	Top of MPH	195.10
2800	MPH 2	192.30
2800	Mech PH	189.10
2650	Level 30	185.80
2600	Level 29	182.85
2600	Level 28	180.05
2600	Level 27	177.25
2600	Level 26	174.45
2600	Level 25	171.65
2600	Level 24	168.85
3100	Level 23	165.75
2600	Level 22	162.95
2600	Level 21	160.15
2600	Level 20	157.35
2600	Level 19	154.55
2600	Level 18	151.75
2600	Level 17	148.95
3100	Level 16	145.85
2600	Level 15	143.05
2600	Level 14	140.25
2600	Level 13	137.45
2600	Level 12	134.65
2600	Level 11	131.85
2600	Level 10	129.05
3700	Level 09	125.35
2600	Level 08	122.55
2600	Level 07	119.75
2600	Level 06	116.95
2600	Level 05	114.15
2700	Level 04	110.45
2600	Above Grade Parking Level 04	109.05
2600	Level 03	107.65
3575	Above Grade Parking Level 03	105.87
3575	Level 02	104.08
3575	Above Grade Parking Level 02	102.29
3575	Established Grade	100.50

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McMaster University Graduate Student Residence

OVERALL WEST ELEVATION

Scale: As indicated
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A.304

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HAMILTON HIGH RISE

Double-click here to enter Project Address

AX0

Scale:
Project No: Double-click here to enter Project Number
Date: Double-click here to enter Project Start Date

P0000

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HAMILTON HIGH RISE

Double-click here to enter Project Address

AX0

Scale:
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P0002



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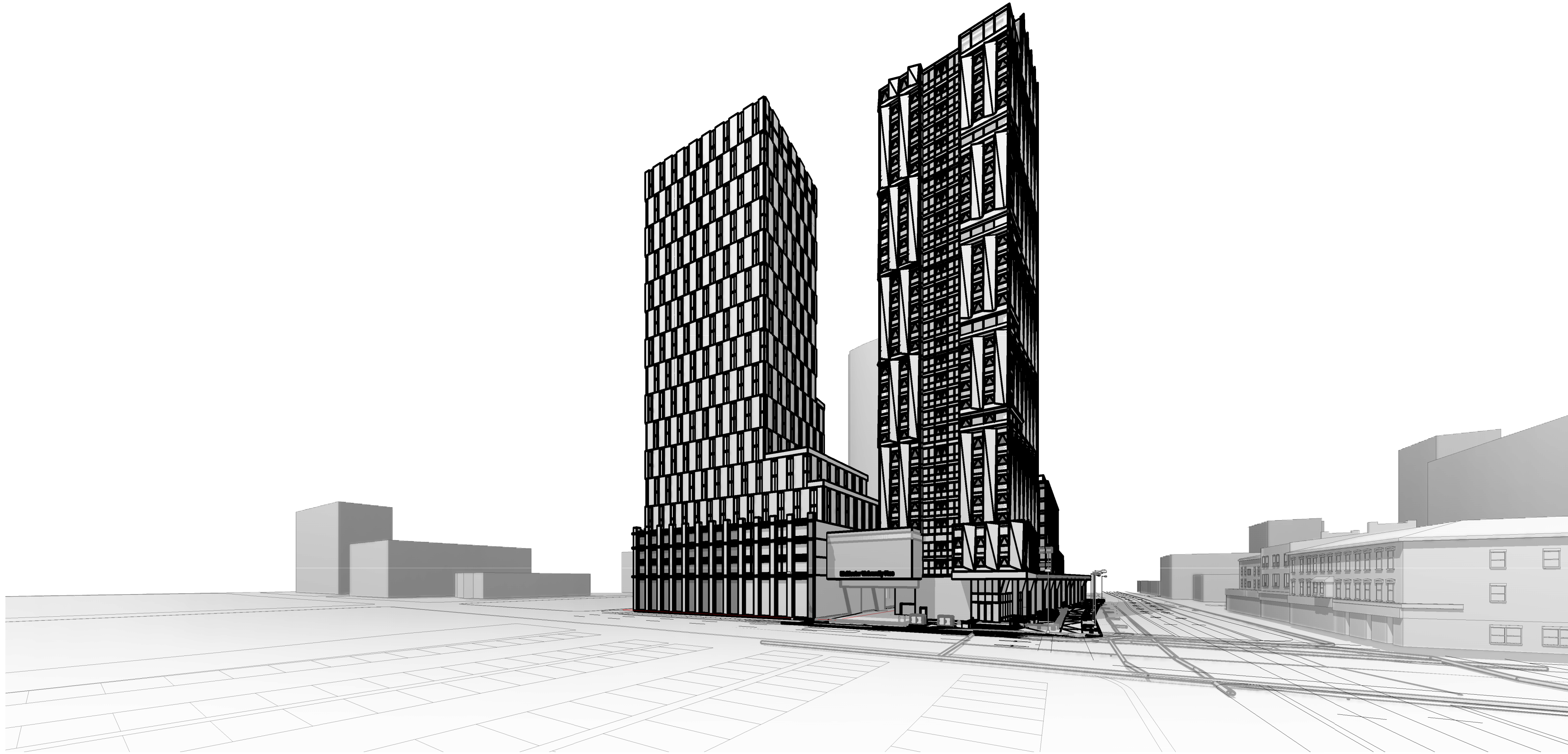
STREET VIEW

Scale:
Project No: Double-click here to enter Project Number
Date: Double-click here to enter Project Start Date

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STREET VIEW

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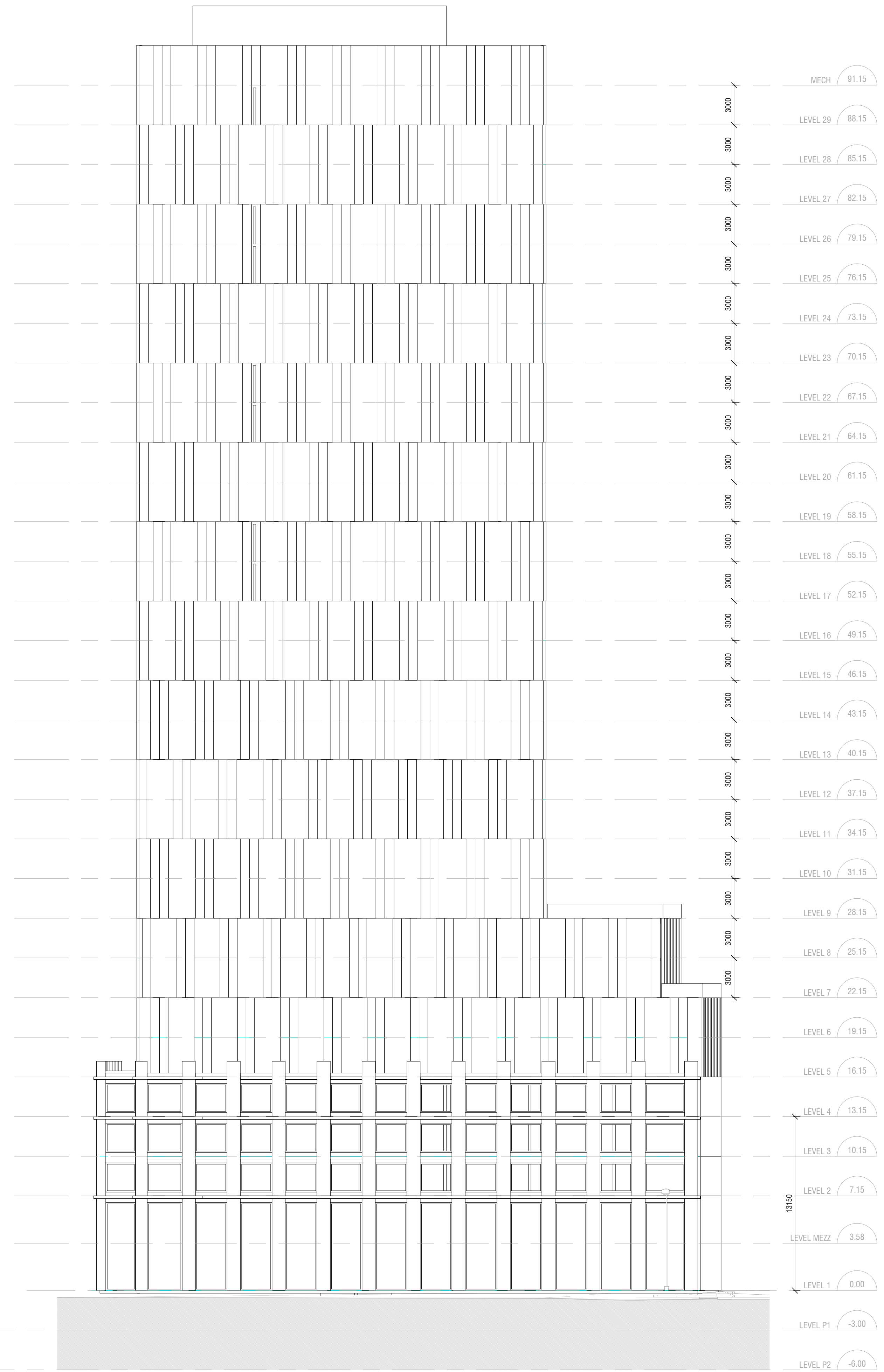
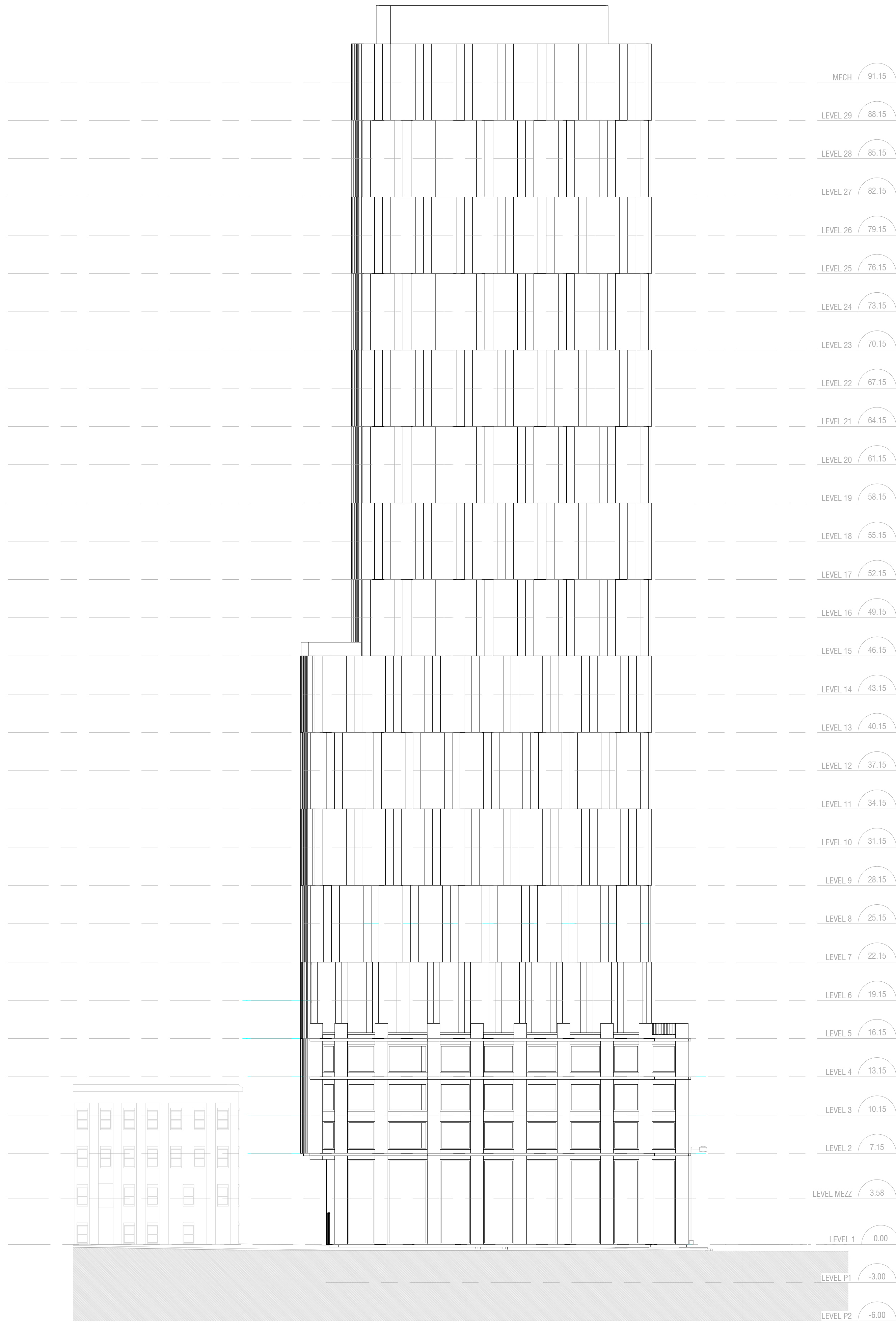
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HAMILTON HIGH RISE

Double-click here to enter Project Address

ELEVATIONS

Scale: 1 : 200
Project No: Double-click here to enter Project Number
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ISSUED

No.	Date	Description
1	20/03/31	Issued for Site Plan Approval
5	20/06/25	Issued for SPA Resubmission

- LEGEND**
- BR BRICK MASONRY
 - LV1 LOUVER
 - LV2 LOUVER WINDOW WALL
 - MP1 LIGHT BRONZE METAL PANEL
 - MP2 SPANDREL METAL PANEL - GREY
 - MP3 GREY ALUM PANEL
 - ST GREY STEEL CLADDING
 - SP1 SPANDREL GLASS WINDOW WALL
 - SP2 SPANDREL GLASS CURTAIN WALL
 - GL1 VISION GLASS
 - GL2 VISION GLASS - TEMPERED
 - GL3 VISION GLASS - CURTAIN WALL
 - GL4 VISION GLASS - CW EXTERIOR DOORS
 - GL5 VISION GLASS - WW EXTERIOR DOORS
 - GL6 GLASS GUARD
 - OPERABLE WINDOW
 - GL#A 'A' AFTER THE GLAZING No. DENOTES ACID ETCHED
 - GL#B 'B' AFTER THE GLAZING No. DENOTES BIRD FRIENDLY FRIT

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OVERALL NORTH ELEVATION

Scale: As indicated
Project No: 1903
Date: 20/06/26

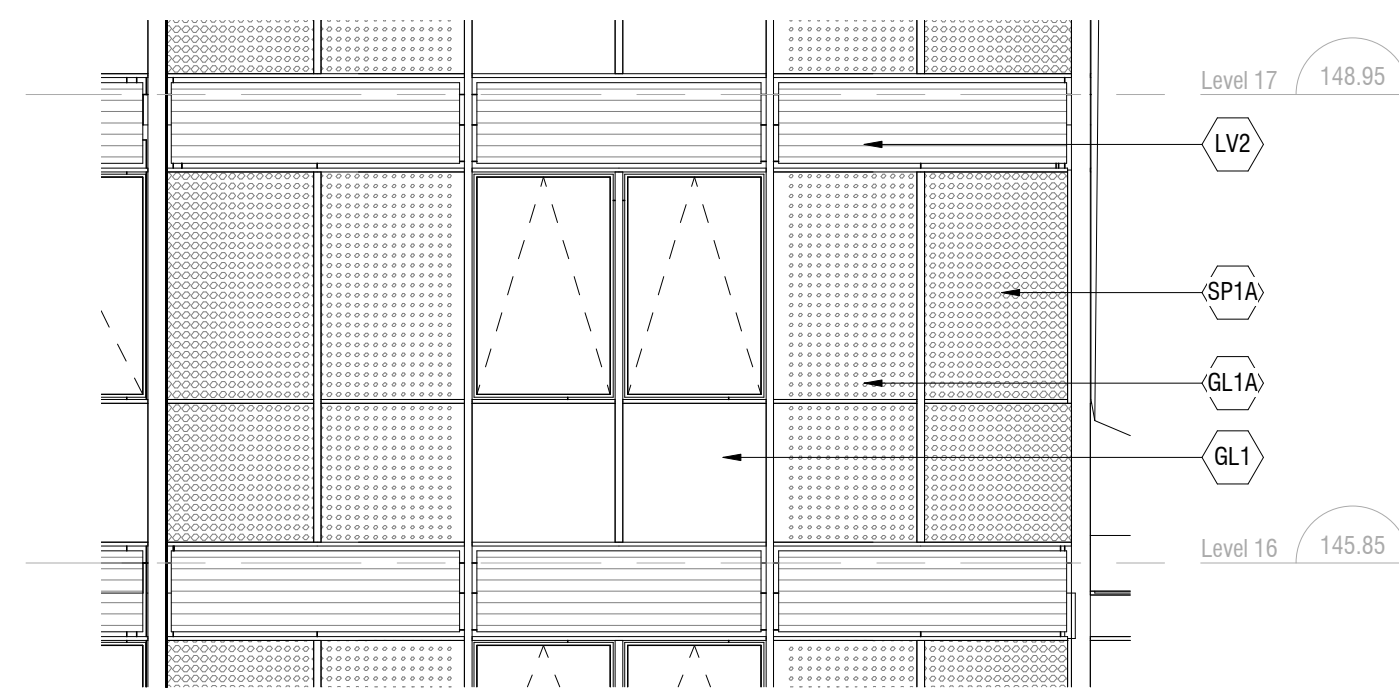
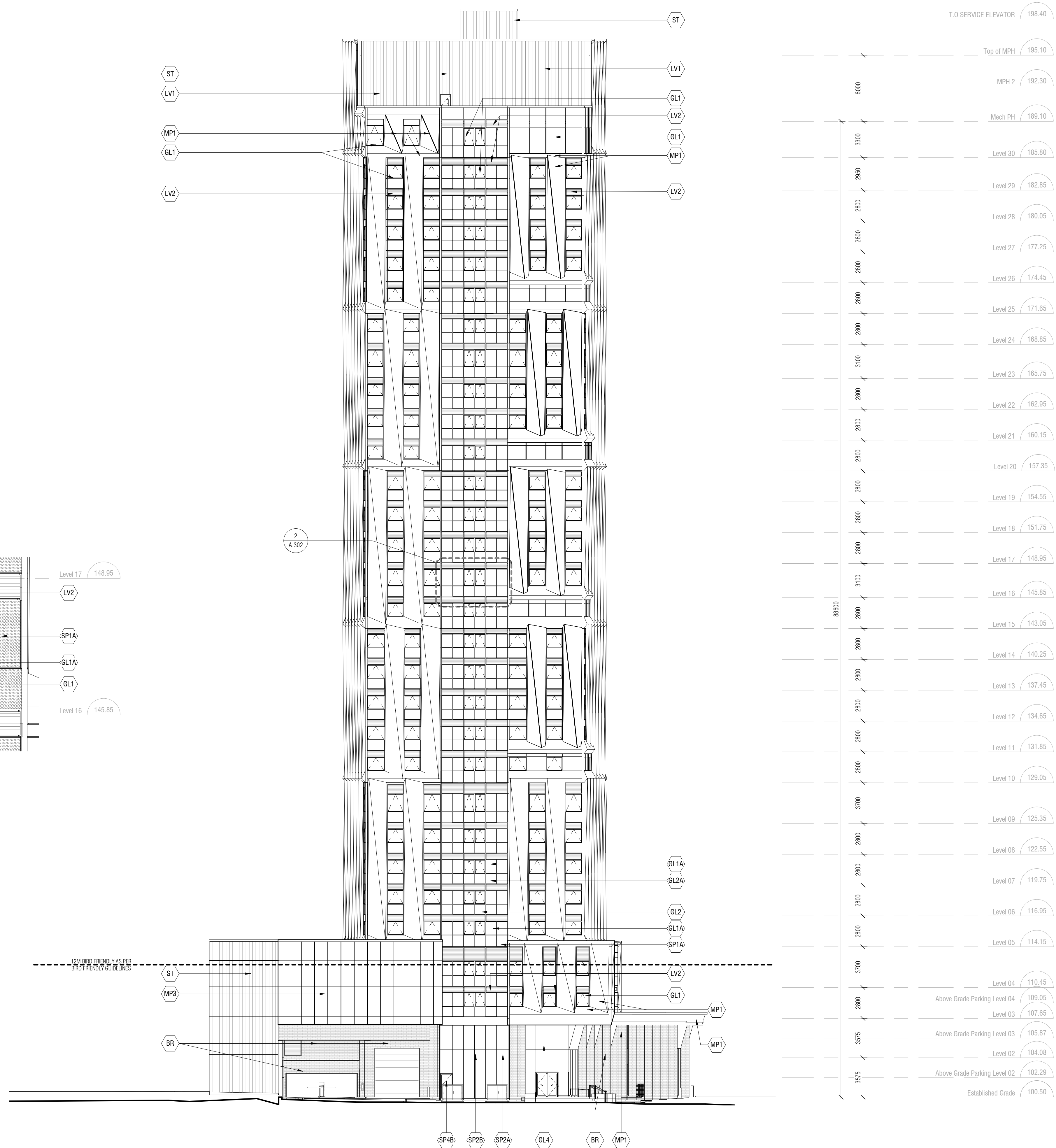
A.301

1 OVERALL NORTH ELEVATION
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2 WINDOW WALL FRITTED PATTERN DETAIL
 A.302 1:50

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LEGEND

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LV1	LOUVER
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MP3	GREY ALUM PANEL
ST	GREY STEEL CLADDING
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SP2	SPANDEL GLASS CURTAIN WALL
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GL2	VISION GLASS - TEMPERED
GL3	VISION GLASS - CURTAIN WALL
GL4	VISION GLASS - CW EXTERIOR DOORS
GL5	VISION GLASS - WW EXTERIOR DOORS
GL6	GLASS GUARD
OP	OPERABLE WINDOW
GL#A	'A' AFTER THE GLAZING No. DENOTES ACID ETCHED
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OVERALL EAST ELEVATION

Scale: As indicated
 Project No: 1903
 Date: 20/06/26

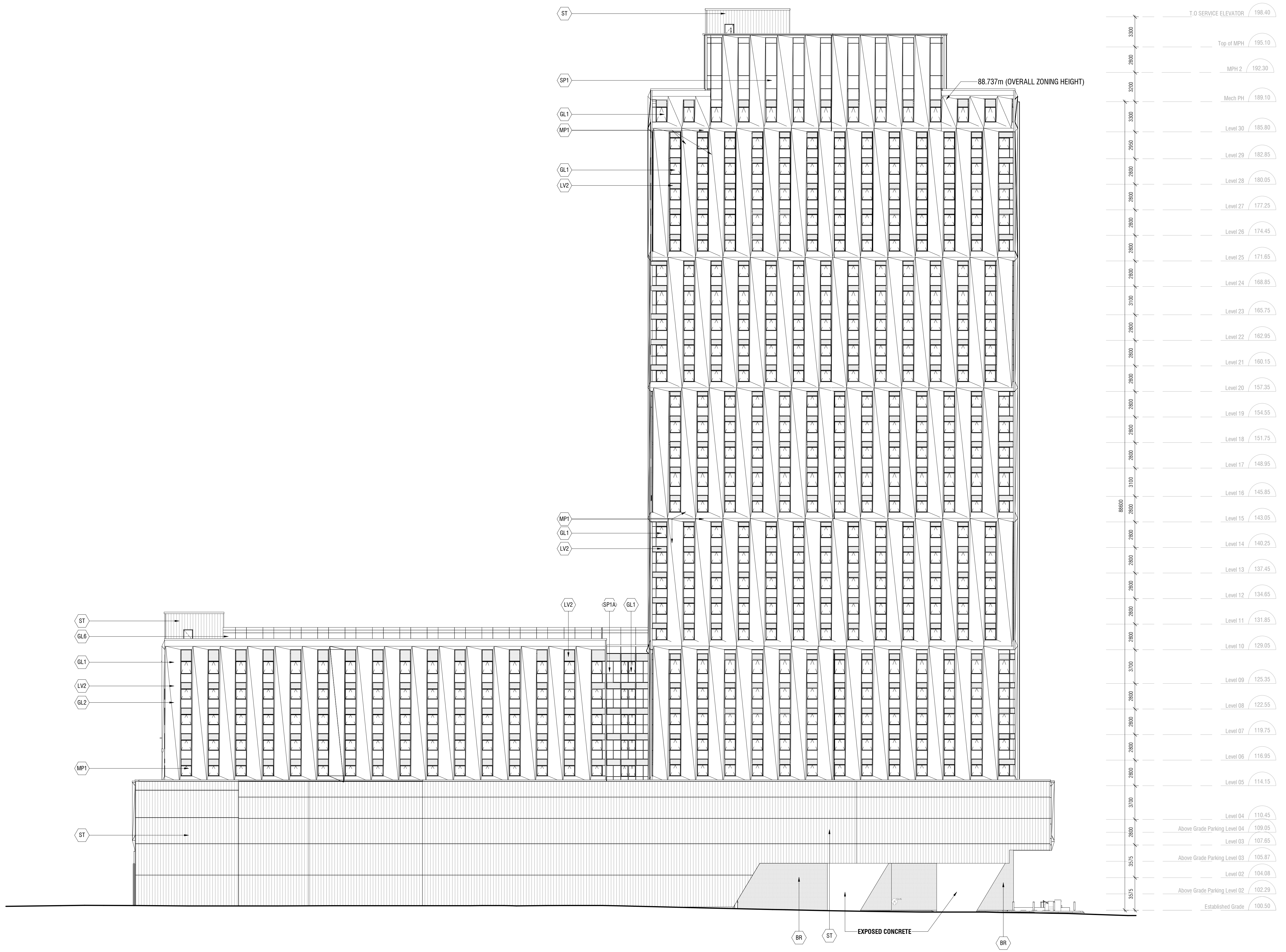
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A.302

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OVERALL SOUTH ELEVATION

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 Project No: 1903
 Date: 20/06/25

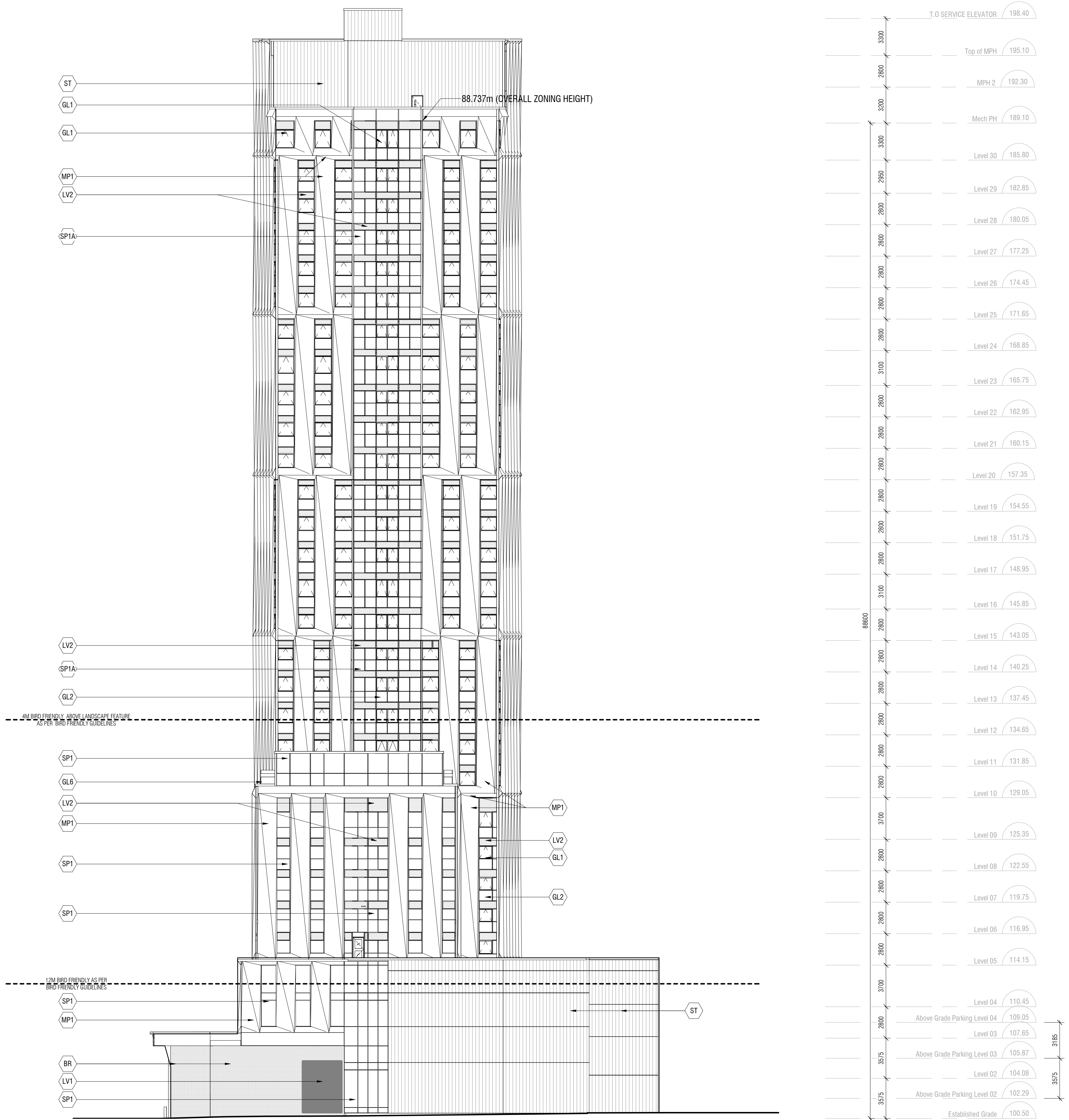
A.303

1 OVERALL SOUTH ELEVATION
 1:200

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LEGEND

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	SPANDREL METAL PANEL - GREY
	GREY ALUM PANEL
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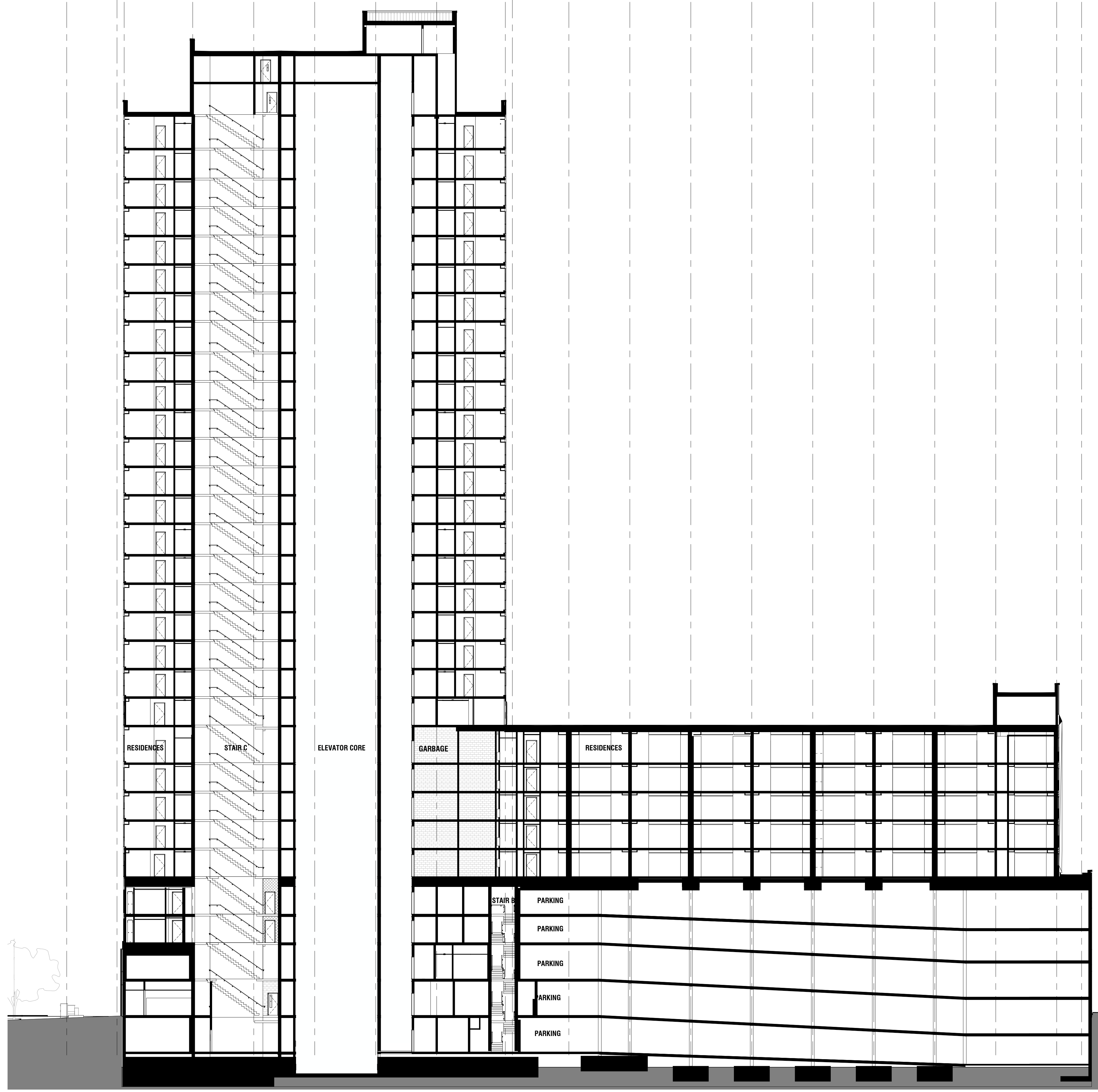
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OVERALL WEST ELEVATION

Scale: As indicated
 Project No: 1903
 Date: 20/06/25

A.304

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
 4950 700 6750 6000 6000 6000 6000 6750 700 5550 6000 6000 6000 6000 6000 6000 6000 6000 2450



Level	Elevation
T.O SERVICE ELEVATOR	198.40
Top of MPH	195.10
MPH 2	192.30
Mech PH	189.10
Level 30	185.80
Level 29	182.85
Level 28	180.05
Level 27	177.25
Level 26	174.45
Level 25	171.65
Level 24	168.85
Level 23	165.75
Level 22	162.95
Level 21	160.15
Level 20	157.35
Level 19	154.55
Level 18	151.75
Level 17	148.95
Level 16	145.85
Level 15	143.05
Level 14	140.25
Level 13	137.45
Level 12	134.65
Level 11	131.85
Level 10	129.05
Level 09	125.35
Level 08	122.55
Level 07	119.75
Level 06	116.95
Level 05	114.15
Level 04	110.45
Above Grade Parking Level 04	109.05
Level 03	107.65
Above Grade Parking Level 03	105.87
Level 02	104.08
Above Grade Parking Level 02	102.29
Established Grade	100.50
Parking Level 01	98.70
Basement Level	96.90
Parking Level 02	95.70

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OVERALL SECTION

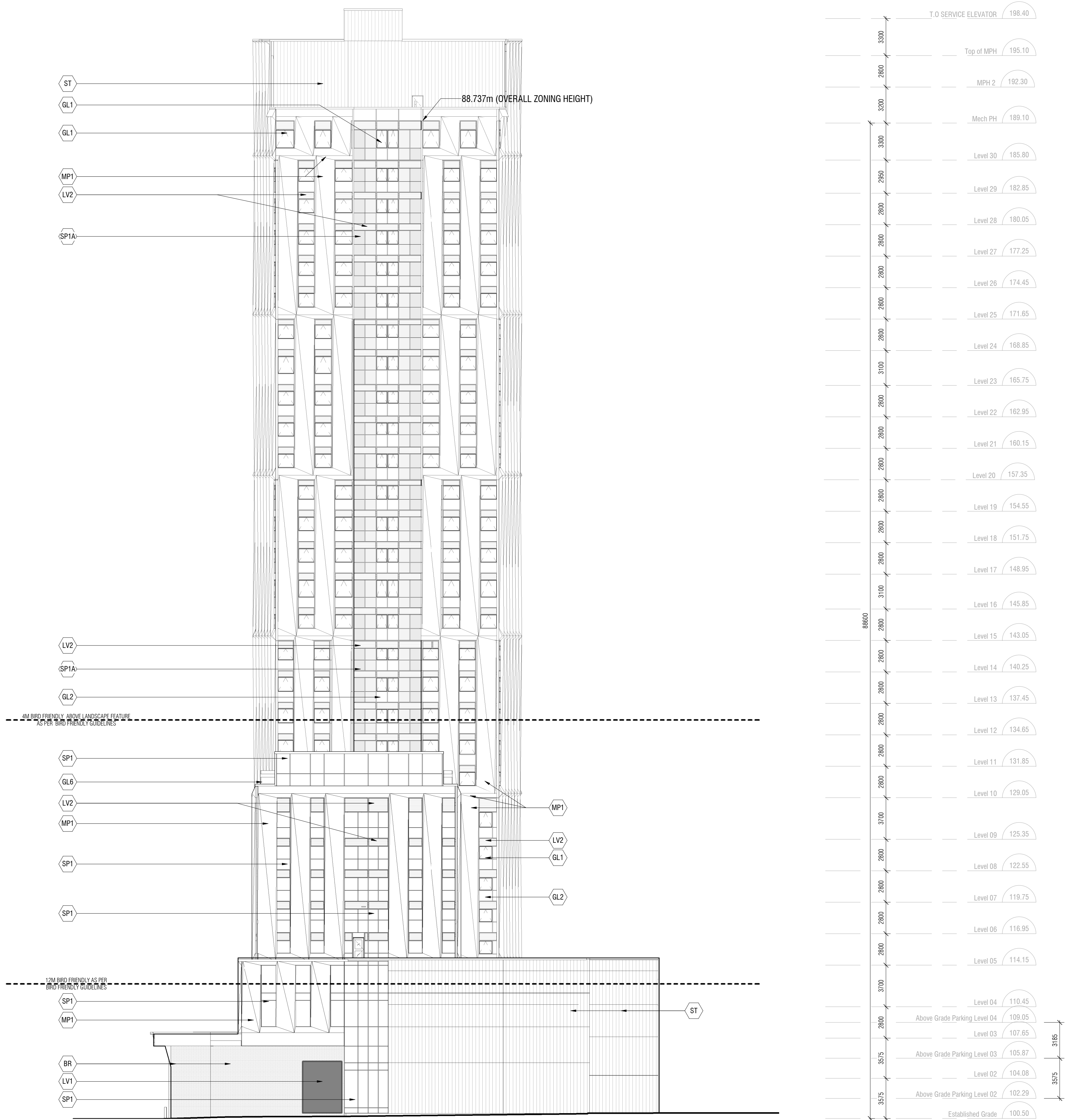
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 Project No: 1903
 Date: 20/06/25

A.401

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LEGEND

	BRICK MASONRY
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	LOUVER WINDOW WALL
	LIGHT BRONZE METAL PANEL
	SPANDREL METAL PANEL - GREY
	GREY ALUM PANEL
	GREY STEEL CLADDING
	SPANDREL GLASS WINDOW WALL
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OVERALL WEST ELEVATION

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 Date: 20/06/25

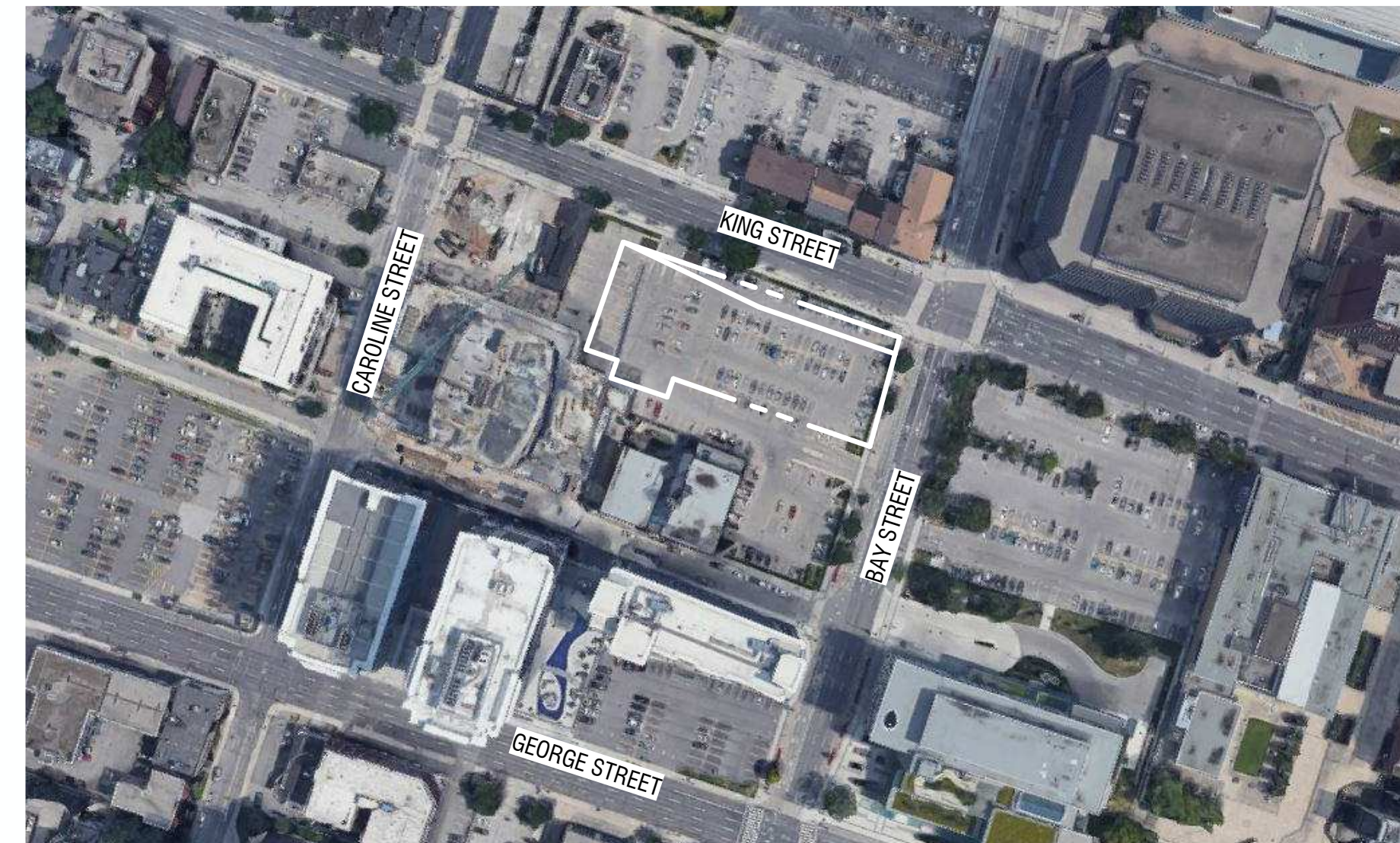
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1 OVERALL WEST ELEVATION
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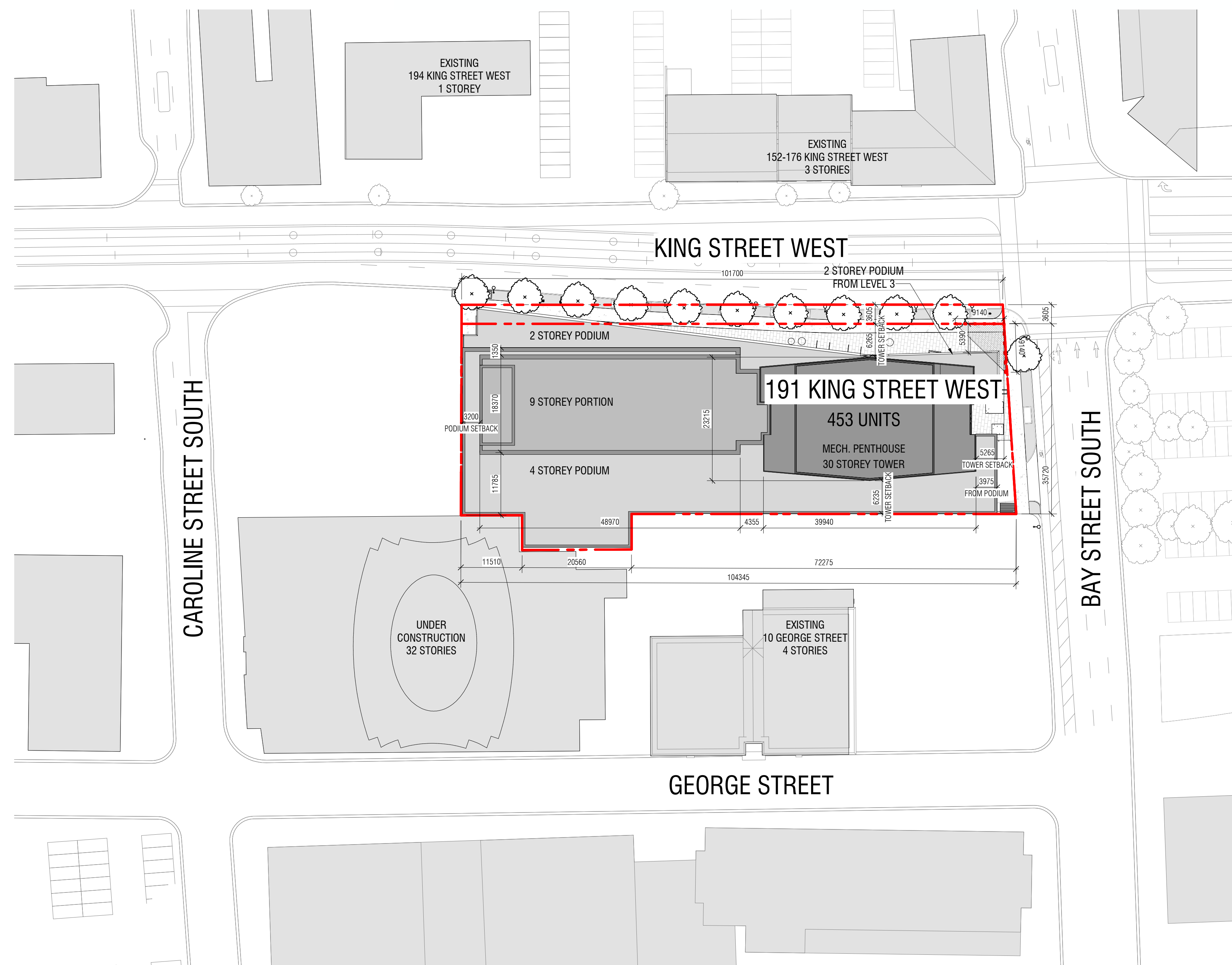
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2 Key Plan SPA
 A.002 1:2000



1 CONTEXT SITE PLAN
 A.002 1:500

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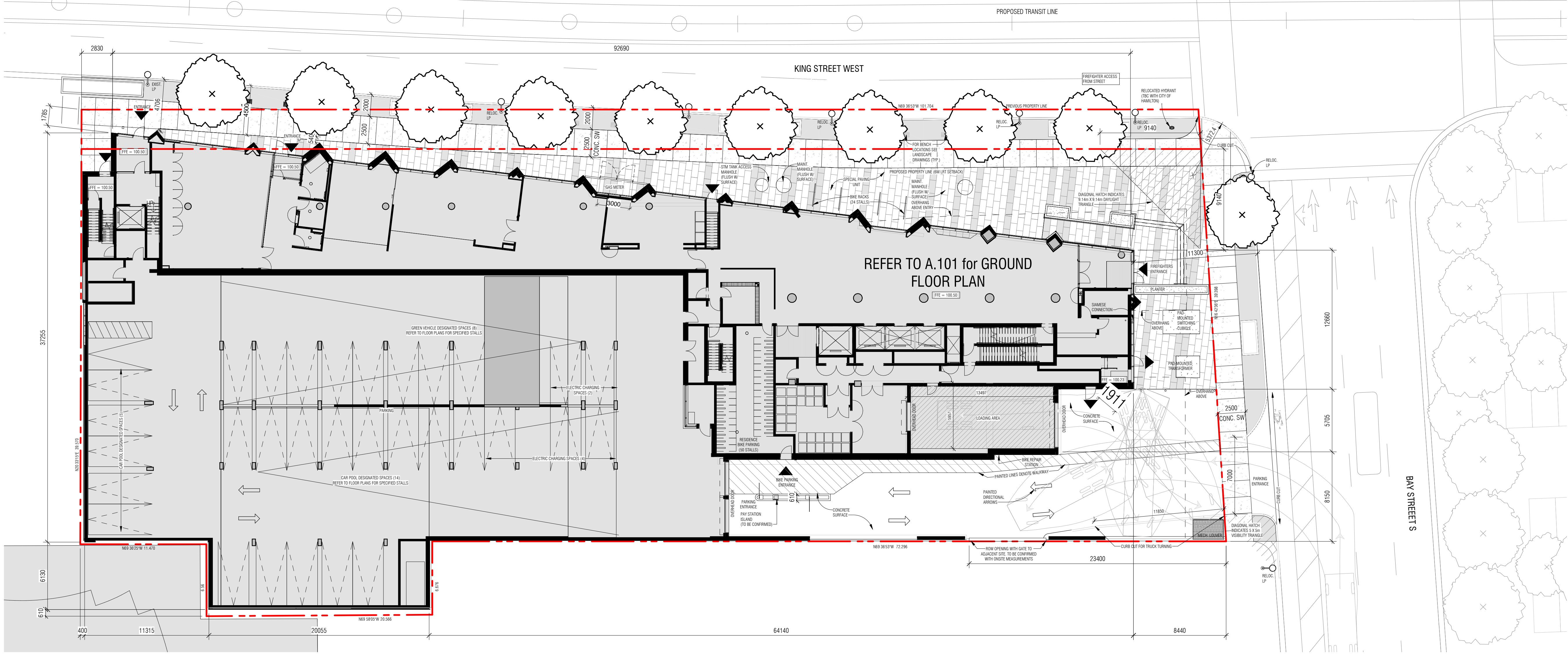
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CONTEXT SITE PLAN

Scale: As indicated
 Project No: 1903
 Date: 20/07/27

A.002

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1 LEVEL 01 SITE PLAN SPA
A.003 1:200

SITE DATA

DATA	REQUIRED	PROVIDED
ZONING BY-LAW	05-200	05-200
ZONING	03	03
PERMITTED USE	LOADING HOUSE	LOADING HOUSE
LOT AREA (m²)	4,192 (m²) (45,123 SF)	4,192 (m²) (45,123 SF)
LOT AREA (m²) AFTER LIT R.O.W. REDUCTION	3,739 (m²) (40,246 SF)	3,739 (m²) (40,246 SF)
FRONT YARD (NORTH) (m)	min 2.0m	0.5 m
REAR YARD (EAST) (m)	min 2.0m	1.0 m
REAR YARD (SOUTH) (m)	min	0 m
REAR YARD (WEST) (m)	min	0 m

BUILDING DATA

DATA	REQUIRED	PROVIDED
TOTAL NUMBER OF UNITS		433 units
BUILDING COVERAGE (m²) (OVERALL COVERAGE)		3,347 m²
GROSS FLOOR AREA (m²)		38,858 m²
NUMBER OF STORES	30 stores	30 stores
BUILDING HEIGHT (SCHEDULE F FIGURE 1)	89 m	89.737 m (max AVG GRADE (89.825 - 1101.568 - 100.5))
Average Grade = 100.568		
LOT COVERAGE (%) AFTER LIT R.O.W. REDUCTION		90%

UNIT DATA

UNIT TYPE	# UNITS	# BEDS
STUDIO BF	1	1
1 BEDROOM BF	2	2
2 BEDROOM BF	2	4
3 BEDROOM BF	1	2
TOTAL	6	10

LEVEL 03-04 TYP. TOWER RESIDENCE (8 FLOORS)

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	4	4
2 BEDROOM	6	12
3 BEDROOM	1	2
TOTAL	13	20

LANDSCAPE DATA

DATA	REQUIRED	PROVIDED
BUILDING AREA (%) (GROUND FLOOR ONLY)	265.0 m² (2,739 = 76.5%	
DRIVEWAY AREA (m²)		442.7 m²
LANDSCAPE AREA (INCL. SIDEWALKS) (m²)		427.8 m²

UNIT SIZE BREAKDOWN

DATA	QUANTITY
DWELLING UNITS LESS THAN 50m²	305
DWELLING UNITS GREATER THAN 50m²	103
DWELLING UNITS WITH 3 OR MORE BEDROOMS	0

LEVEL 05 TYP. PODIUM RESIDENCE

UNIT TYPE	# UNITS	# BEDS
STUDIO	1	1
1 BEDROOM	2	2
2 BEDROOM	10	18
3 BEDROOM	3	3
2 BEDROOM	11	22
2 BEDROOM	3	6
TOTAL	20	44

LEVEL 06-09 TYP. PODIUM RESIDENCE (4 FLOORS)

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
2 BEDROOM	1	2
TOTAL	12	19

VEHICLE PARKING DATA

DATA	REQUIRED	PROVIDED
RESIDENTIAL PARKING UNITS < 50m²	0.15 UNIT OVER 1.0 UNITS = 0.25 (0.3 = 0.4)	P1 40 L1 50 L2 49 L3 44 L4 32 L5 24 TOTAL 240 STALLS
RESIDENTIAL PARKING UNITS > 50m²	0.15 UNIT FOR 1.0 UNITS = 0.25 (0.3 = 0.4) 0.15 UNIT FOR 5.0+ UNITS = 0.25 (0.4 = 0.4)	9 STALLS (P5 OF TOTAL)
BARBER FREE PARKING	1.49 spaces min 1 space = 1 50-100 spaces min 40 = 5 101-200 spaces 1+ 1/2 = 3	28 STALLS (P6 OF TOTAL)
REduced PARKING STALLS	min	24 STALLS (P5 OF TOTAL)
CARSHARE STALLS	min	14 STALLS (P6 OF TOTAL)

AREA BREAKDOWN

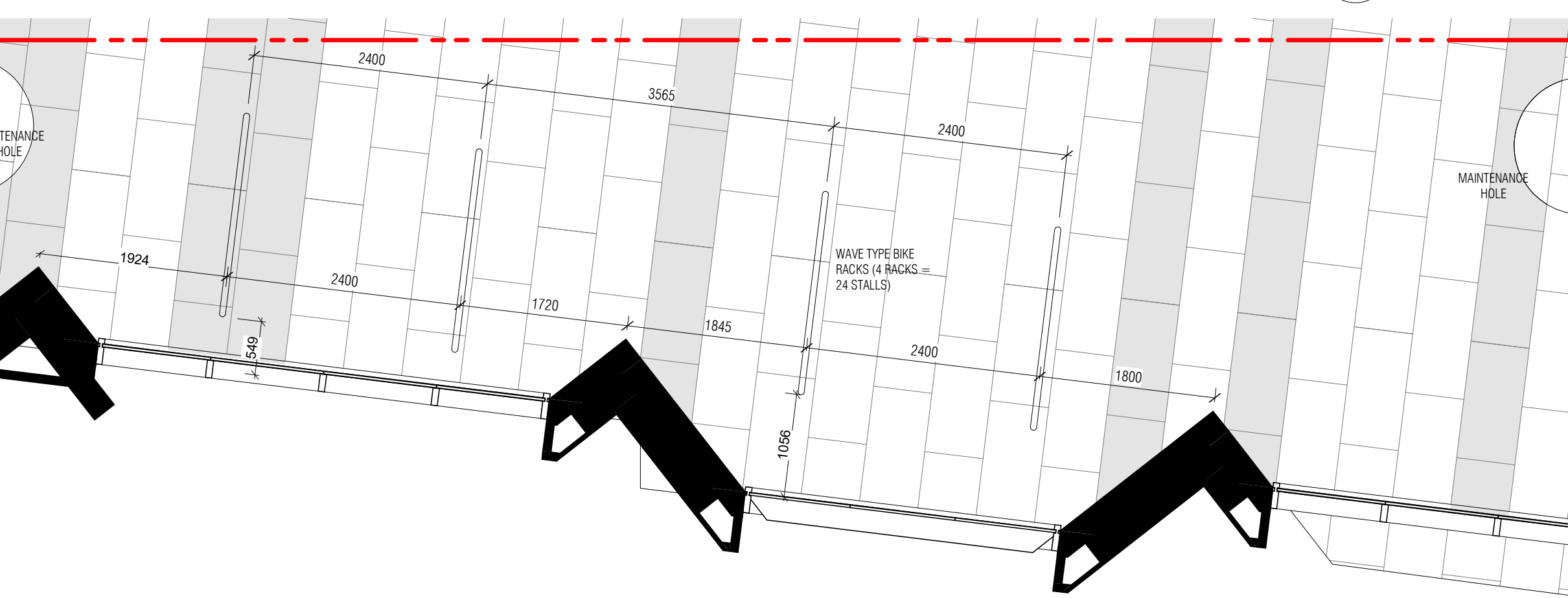
LEVEL	SQ. M	SQ. FT
PARKING PDI	1,269.6	13,666
PARKING PDI	3,276.6	35,291
L01 - GROUND	2,862.0	30,882
L02 - MEZANINE	2,143.9	23,077
L03 - L04 - TYP. RESIDENCE (PARKING LEVEL, 2 FLOORS)	6,227.5	67,030
L05 - TYP. PODIUM RESIDENCE A	1,763.6	18,956
L06 - TYP. PODIUM RESIDENCE B (4 FLOORS)	1,714.4	17,224
L07 - TOWER AT PODIUM ROOF	846.5	9,103
L15 - L14 - 16-18 (21-24-26-28) - TYP. TOWER RESIDENCE (16 FLOORS)	13,518.0	146,133
L15 - 20 - 25 - TYP. TOWER RESIDENCE IN COMMON AREA	2,545.5	27,400
L20 - RESIDENCES	848.5	9,133
SEA (GRADE GRADE)	38,026.9	409,310
CONSTRUCTION AREA (INCL. BELOW GRADE)	45275.1	488,374
PARKING STRUCTURE SEA	12,372.8	132,114
RESIDENTIAL ONLY SEA	30,301.3	328,157

LEVEL 10 - TOWER AT PODIUM ROOF

UNIT TYPE	# UNITS	# BEDS
STUDIO	1	1
1 BEDROOM	4	4
2 BEDROOM	7	14
TOTAL	12	19

LEVEL 11-14 (21-24) - TYP. TOWER RESIDENCE (8 FLOORS)

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	5	5
2 BEDROOM	1	1
2 BEDROOM	5	10
2 BEDROOM	1	2
TOTAL	14	20



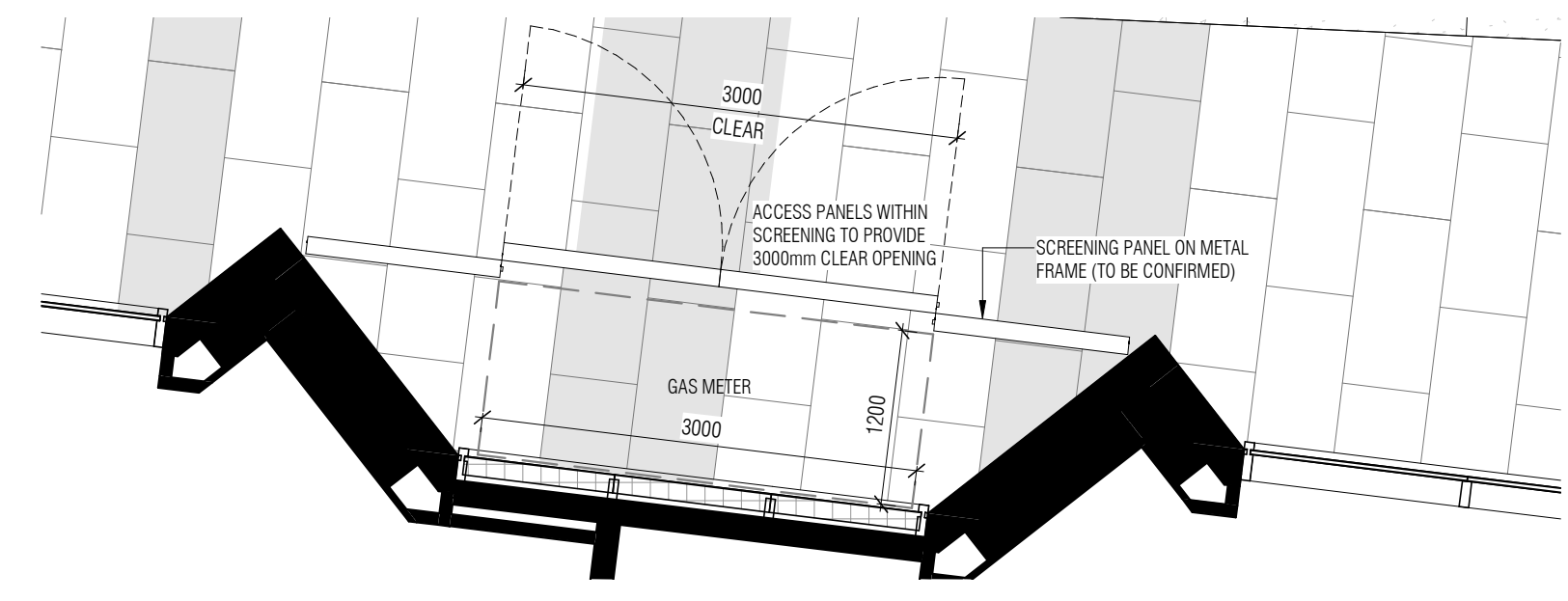
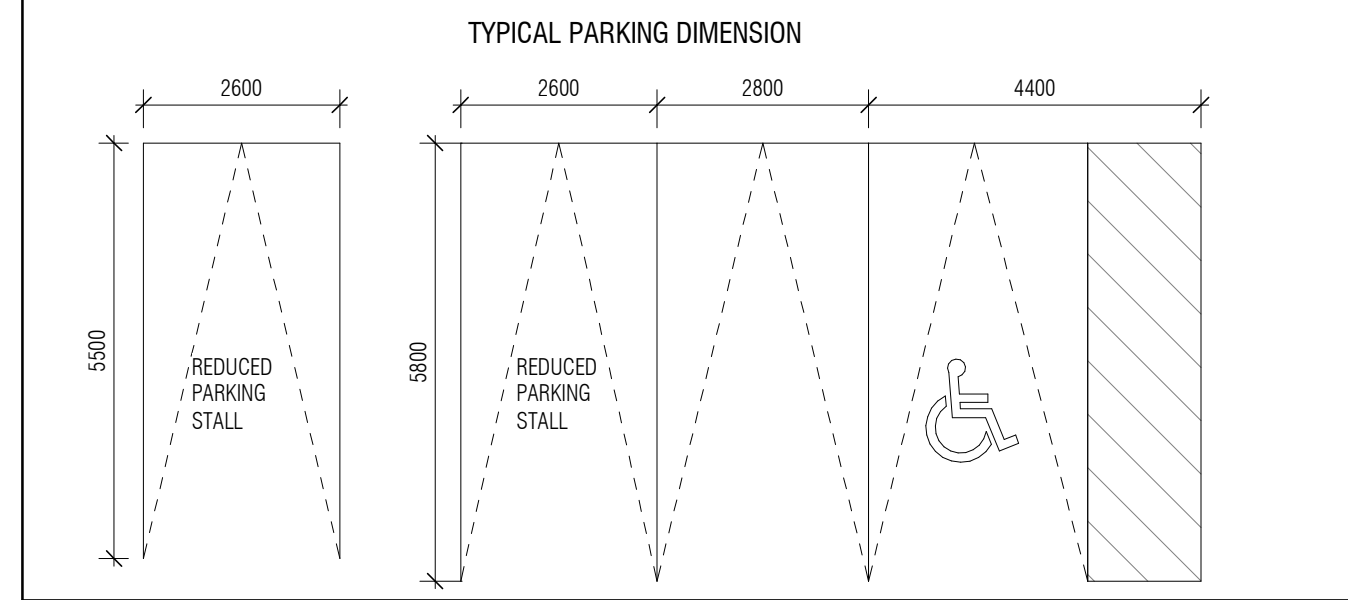
2 BIKE PARKING DETAIL SPA
A.003 1:50

BIKE PARKING DATA

DATA	REQUIRED	PROVIDED
INDOOR PARKING	3 - 1.25 spaces/unit	P1 72 L1 50 L2 49 L3 44 L4 32 L5 24 TOTAL 271
OUTDOOR PARKING	0.5 - 2 spaces/unit	28
TOTAL BIKE PARKING		299

SITE LEGEND

- CONCRETE SEEBLANK FINISH AS PER CITY STANDARDS
- CONCRETE SEEBLANK FINISH
- SPECIAL PAINTING UNIT
- LOADING AREA
- PROPERTY LINE
- ENTRANCE / EXIT
- FIRE HYDRANT
- GAS METER
- FIRE DEPARTMENT CONNECTION
- LIGHT POST



3 GAS METER DETAIL SPA
A.003 1:50

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McMaster University Graduate Student Residence

SITE PLAN

Scale: As indicated
Project No: 1903
Date: 20/07/27

A.003

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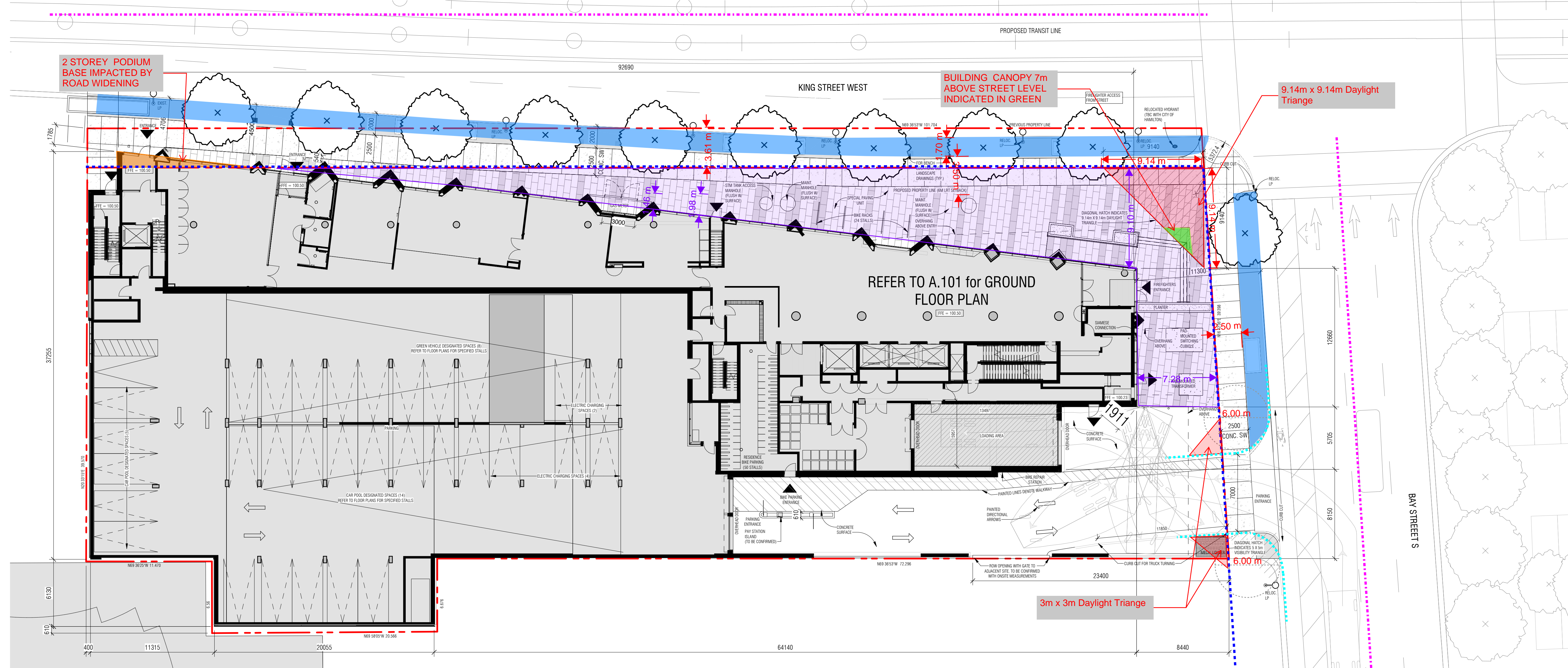
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DATA	REQUIRED	PROVIDED
ZONING BY-LAW	05-200	
ZONING	D3	
PERMITTED USE	LOADING HOUSE	
LOT AREA (m ²)	4,192 (m ²) (45,123 SF)	
LOT AREA (m ²) AFTER LINT R.O.W. REDUCTION	3,739 (m ²) (40,246 SF)	
FRONT YARD (NORTH) (m)	min 2.0m	0.5 m
REAR YARD (EAST) (m)	min 2.0m	1.0 m
REAR YARD (SOUTH) (m)	n/a	0 m
REAR YARD (WEST) (m)	n/a	0 m

DATA	REQUIRED	PROVIDED
BUILDING AREA (m ²) (GROUND FLOOR ONLY)	265.0 (m ²) 2,838 (m ²) 76.5%	
DRIVEWAY AREA (m ²)	442.7 m ²	
LANDSCAPE AREA (INCL. SIDEWALKS) (m ²)	427.8 m ²	

DATA	REQUIRED	PROVIDED
RESIDENTIAL PARKING UNITS >50m ²	0.13 UNIT OVER 12 UNITS = 259 (12) x 124.4	P1 40 P2 40 P3 40 L1 50 L2 49 L3 48 L4 47 L5 46 L6 45 L7 44 L8 43 L9 42 L10 41 L11 40 L12 39 L13 38 L14 37 L15 36 L16 35 L17 34 L18 33 L19 32 L20 31 L21 30 L22 29 L23 28 L24 27 L25 26 L26 25 L27 24 L28 23 L29 22 L30 21 L31 20 L32 19 L33 18 L34 17 L35 16 L36 15 L37 14 L38 13 L39 12 L40 11 L41 10 L42 9 L43 8 L44 7 L45 6 L46 5 L47 4 L48 3 L49 2 L50 1 L51 0 L52 0 L53 0 L54 0 L55 0 L56 0 L57 0 L58 0 L59 0 L60 0 L61 0 L62 0 L63 0 L64 0 L65 0 L66 0 L67 0 L68 0 L69 0 L70 0 L71 0 L72 0 L73 0 L74 0 L75 0 L76 0 L77 0 L78 0 L79 0 L80 0 L81 0 L82 0 L83 0 L84 0 L85 0 L86 0 L87 0 L88 0 L89 0 L90 0 L91 0 L92 0 L93 0 L94 0 L95 0 L96 0 L97 0 L98 0 L99 0 L100 0

DATA	REQUIRED	PROVIDED
INDOOR PARKING	3 - 1.25 spaces/unit	P1 72 L1 50 L2 49 L3 48 L4 47 L5 46 L6 45 L7 44 L8 43 L9 42 L10 41 L11 40 L12 39 L13 38 L14 37 L15 36 L16 35 L17 34 L18 33 L19 32 L20 31 L21 30 L22 29 L23 28 L24 27 L25 26 L26 25 L27 24 L28 23 L29 22 L30 21 L31 20 L32 19 L33 18 L34 17 L35 16 L36 15 L37 14 L38 13 L39 12 L40 11 L41 10 L42 9 L43 8 L44 7 L45 6 L46 5 L47 4 L48 3 L49 2 L50 1 L51 0 L52 0 L53 0 L54 0 L55 0 L56 0 L57 0 L58 0 L59 0 L60 0 L61 0 L62 0 L63 0 L64 0 L65 0 L66 0 L67 0 L68 0 L69 0 L70 0 L71 0 L72 0 L73 0 L74 0 L75 0 L76 0 L77 0 L78 0 L79 0 L80 0 L81 0 L82 0 L83 0 L84 0 L85 0 L86 0 L87 0 L88 0 L89 0 L90 0 L91 0 L92 0 L93 0 L94 0 L95 0 L96 0 L97 0 L98 0 L99 0 L100 0

DATA	REQUIRED	PROVIDED
TOTAL NUMBER OF UNITS		433 units
BUILDING COVERAGE (%) (OVERALL COVERAGE)		3,347.6 m ²
GROSS FLOOR AREA (m ²)		38,858.8 m ²
NUMBER OF STOREYS		30 stories
BUILDING HEIGHT (SCHEDULE F FIGURE 1)	89 m	89.737 m (max) AVG GRADE (89.825 - 110.158 - 100.51)
Average Grade = 100.589		
LOT COVERAGE (%) AFTER LINT R.O.W. REDUCTION		96%

DATA	QUANTITY
DWELLINGS UNITS LESS THAN 50m ²	305
DWELLINGS UNITS GREATER THAN 50m ²	103
DWELLINGS UNITS WITH 3 OR MORE BEDROOMS	0

LEVEL	SO M	SQ FT
PARKING PAD	1,269.6	13,666
PARKING PAD	3,276.6	35,291
L1 - GROUND	2,862.0	30,882
L2 - MEZANINE	2,143.9	23,077
L3 - LEA - TYP. RESIDENCE (PARKING LEVEL, 2 FLOORS)	6,227.5	67,030
L4 - TYP. PODIUM RESIDENCE A	1,763.6	18,936
L5 - LEA - TYP. PODIUM RESIDENCE B (4 FLOORS)	1,714.4	17,224
L6 - TOWER AT PODIUM ROOF	948.5	10,187
L7 - L14 - 16-18-20-24-26-28-30 - TYP. TOWER RESIDENCE (16 FLOORS)	13,519.0	146,133
L15 - 20 - 25 - TYP. TOWER RESIDENCE IN COMMON AREA	2,545.5	27,400
L21 - RESIDENCES	948.5	10,187
SEA (GRADE GRASS)	39,026.9	420,310
CONSTRUCTION AREA (INCL. BELOW GRADE)	45251.1	485,374
PARKING STRUCTURE SEA	12,372.8	132,114
RESIDENTIAL ONLY SEA	30,301.3	326,157

[Symbol]	CONCRETE SIDEWALK FINISH AS PER CITY STANDARDS
[Symbol]	CONCRETE SIDEWALK PAVEDMENT
[Symbol]	SPECIAL PAVING UNIT
[Symbol]	LOADING AREA
[Symbol]	PROPERTY LINE
[Symbol]	ENTRANCE / EXIT
[Symbol]	FIRE HYDRANT
[Symbol]	GAS METER
[Symbol]	FIRE DEPARTMENT CONNECTION
[Symbol]	LIGHT POST

LEVEL	UNIT TYPE	# UNITS	# BEDS	
LEVEL 04-04 TYP. RESIDENCE (4 FLOORS)	STUDIO BF	1	1	
	1 BEDROOM BF	2	2	
	2 BEDROOM BF	2	4	
	3 BEDROOM BF	1	3	
	TOTAL	6	10	
	LEVEL 05 TYP. RESIDENCE (4 FLOORS)	STUDIO	1	1
		1 BEDROOM	2	2
		2 BEDROOM	3	6
3 BEDROOM		1	3	
TOTAL		7	12	
LEVEL 06-09 TYP. PODIUM RESIDENCE (4 FLOORS)		STUDIO	2	2
		1 BEDROOM	4	4
		2 BEDROOM	6	12
	3 BEDROOM	1	3	
	TOTAL	13	21	
	LEVEL 10 - TOWER AT PODIUM ROOF	STUDIO	2	2
		1 BEDROOM	3	3
		2 BEDROOM	6	12
3 BEDROOM		1	3	
TOTAL		12	18	
LEVEL 11-14, 21-24 - TYP. TOWER RESIDENCE (8 FLOORS)		STUDIO	1	1
		1 BEDROOM	4	4
		2 BEDROOM	7	14
	3 BEDROOM	1	3	
	TOTAL	13	22	
	LEVEL 15-16-18-24-26-28 - TYP. TOWER RESIDENCE (8 FLOORS)	STUDIO	2	2
		1 BEDROOM	4	4
		2 BEDROOM	6	12
3 BEDROOM		1	3	
TOTAL		13	21	
TOTAL ALL FLOORS		STUDIO	453	454
		1 BEDROOM	29	29
		2 BEDROOM	493	986
	3 BEDROOM	89	267	
	TOTAL ALL FLOORS	665	1,736	

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	4	4
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	13	21

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

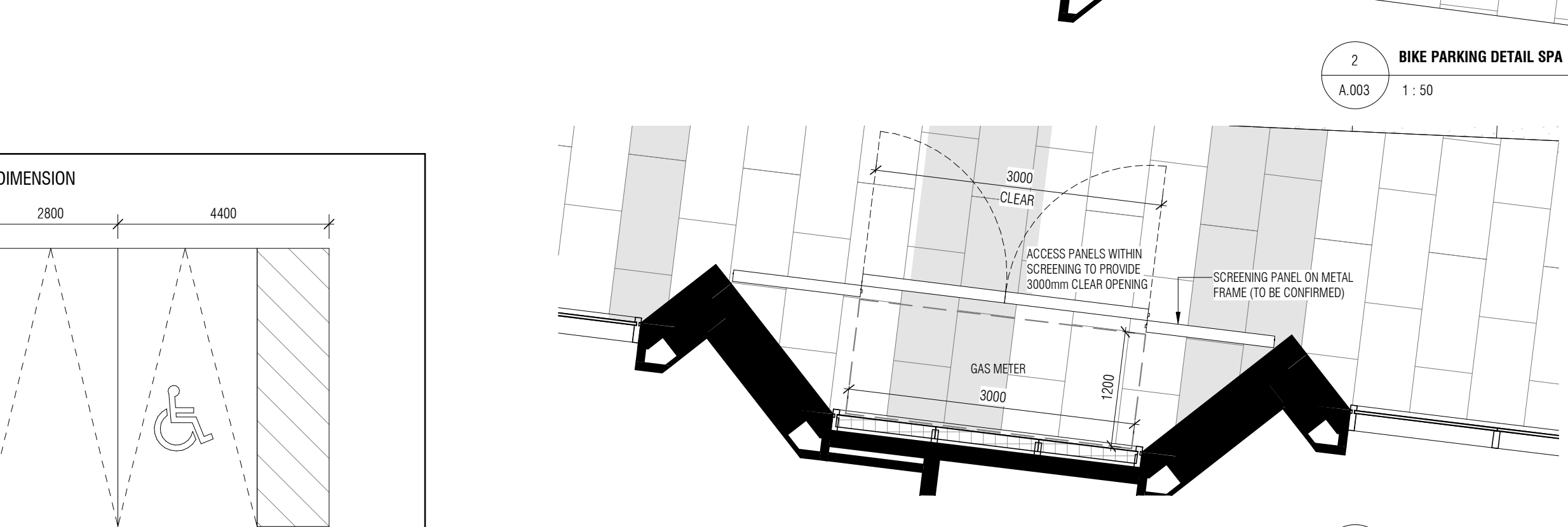
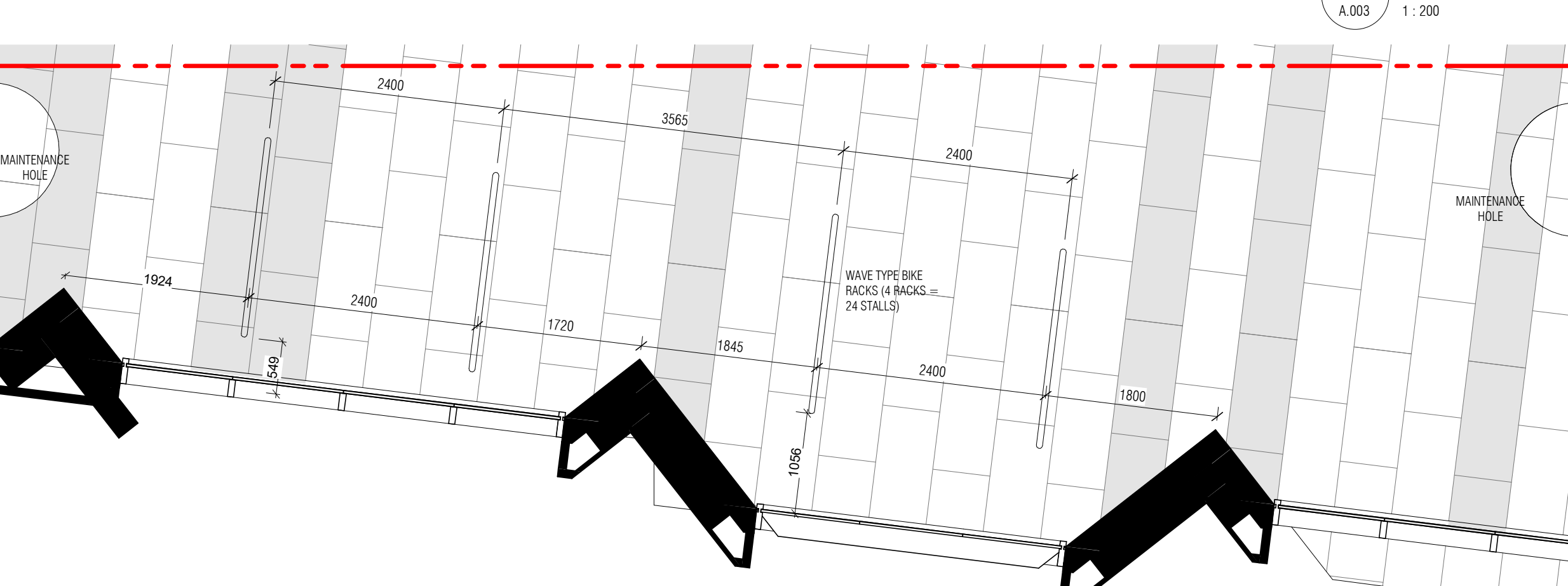
UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18

UNIT TYPE	# UNITS	# BEDS
STUDIO	2	2
1 BEDROOM	3	3
2 BEDROOM	6	12
3 BEDROOM	1	3
TOTAL	12	18



No.	Date	Description
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1 LEVEL 01 SITE PLAN SPA
A.003 1 : 200



2 BIKE PARKING DETAIL SPA
A.003 1 : 50



3 GAS METER DETAIL SPA
A.003 1 : 50

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SITE PLAN

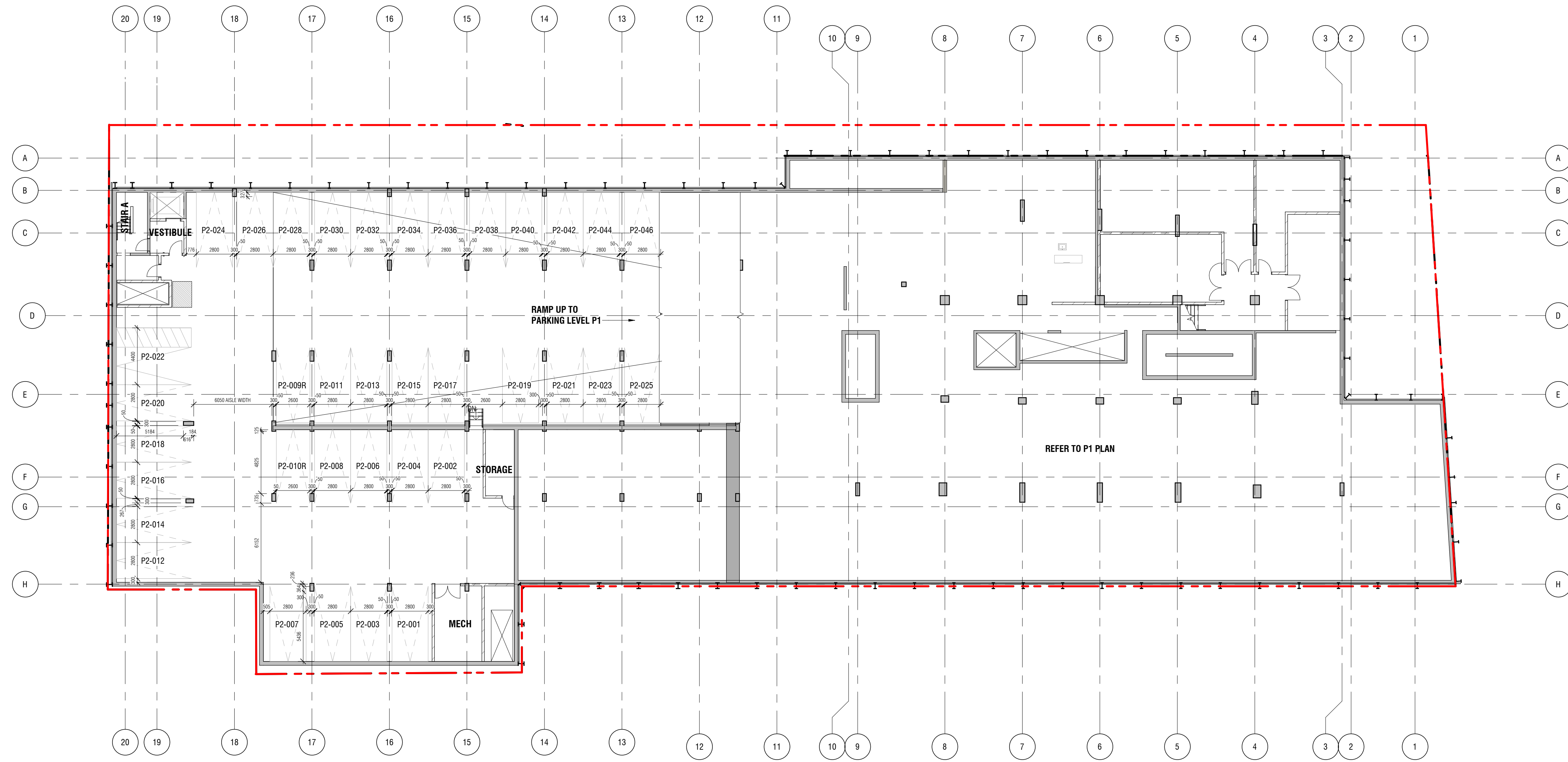
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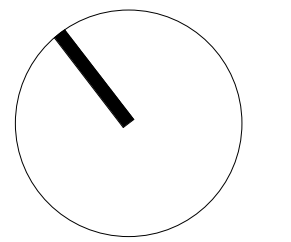
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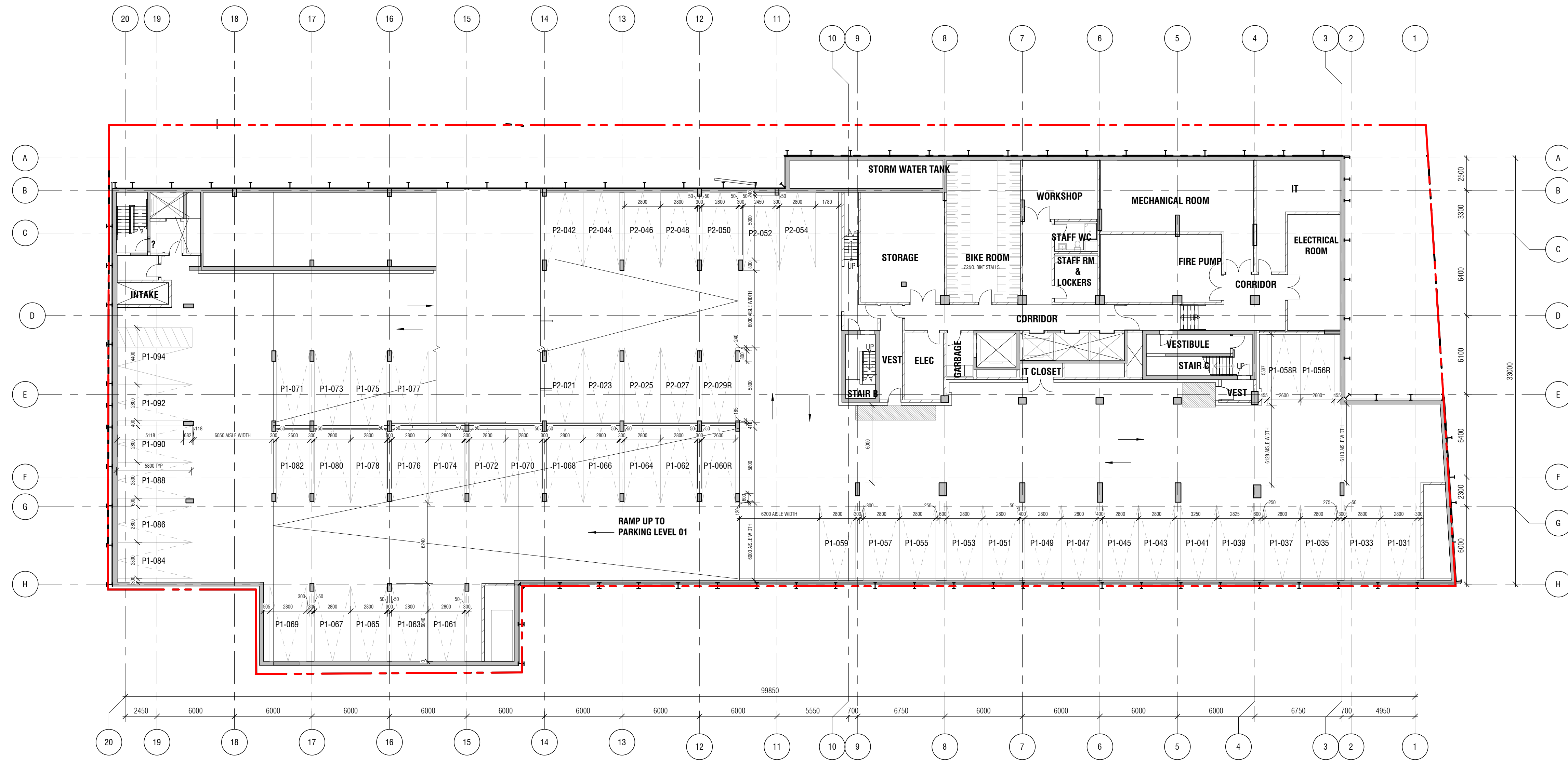
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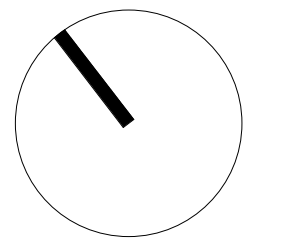
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LEVEL P1

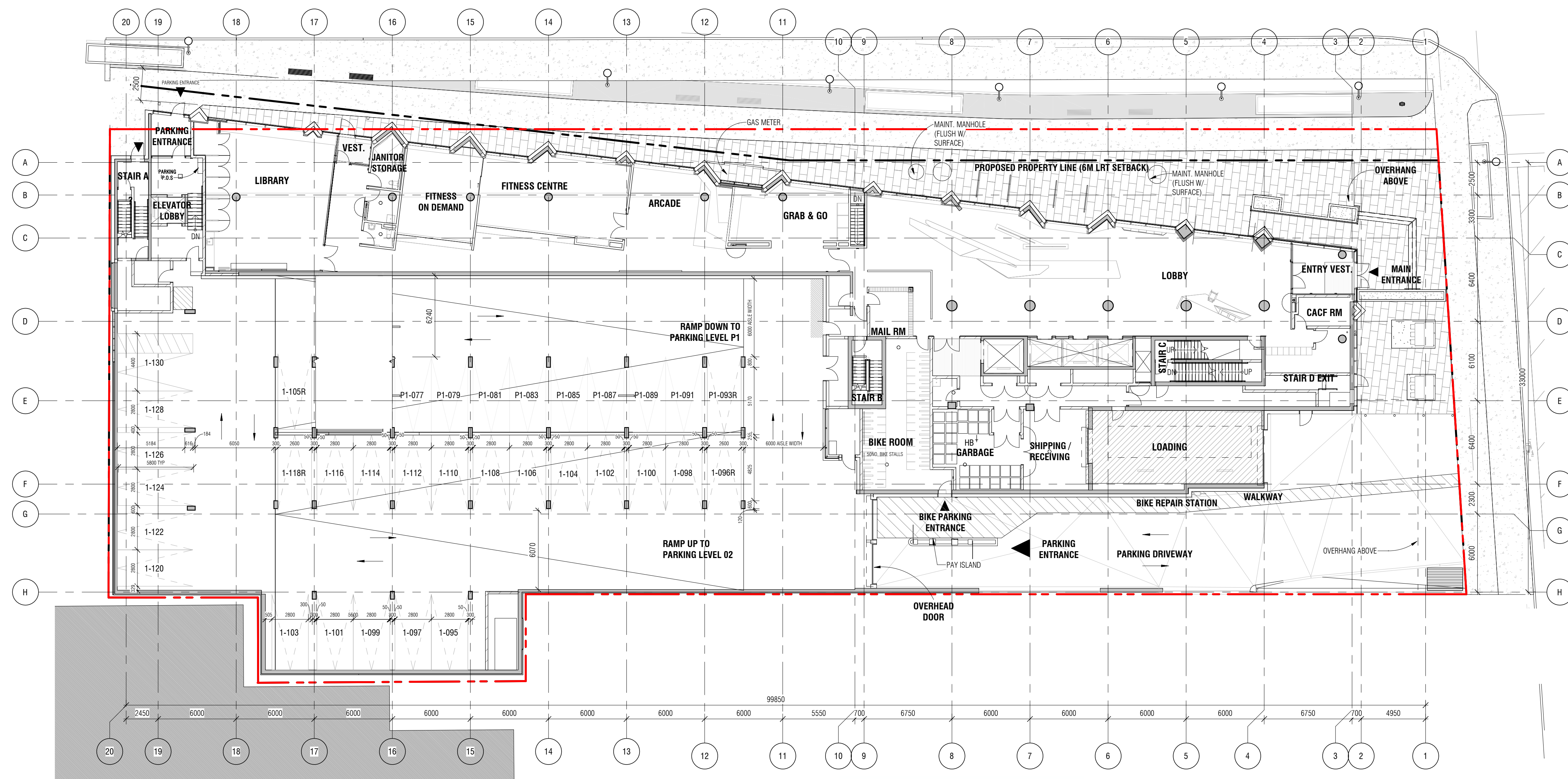
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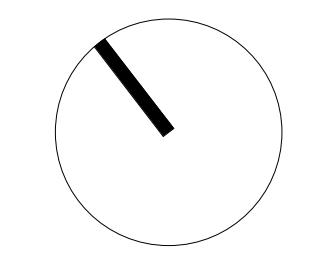
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GROUND FLOOR

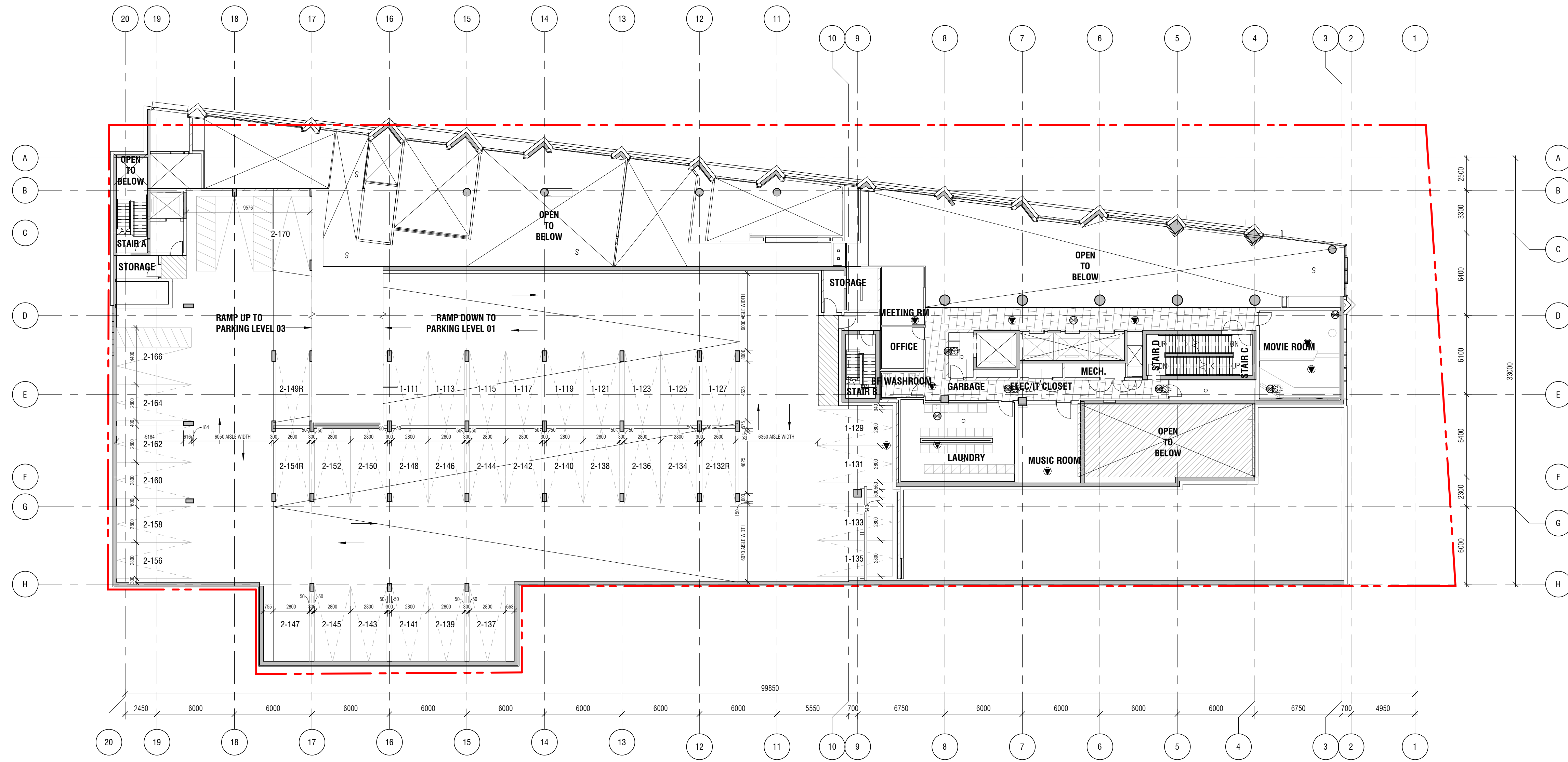
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LEVEL 02

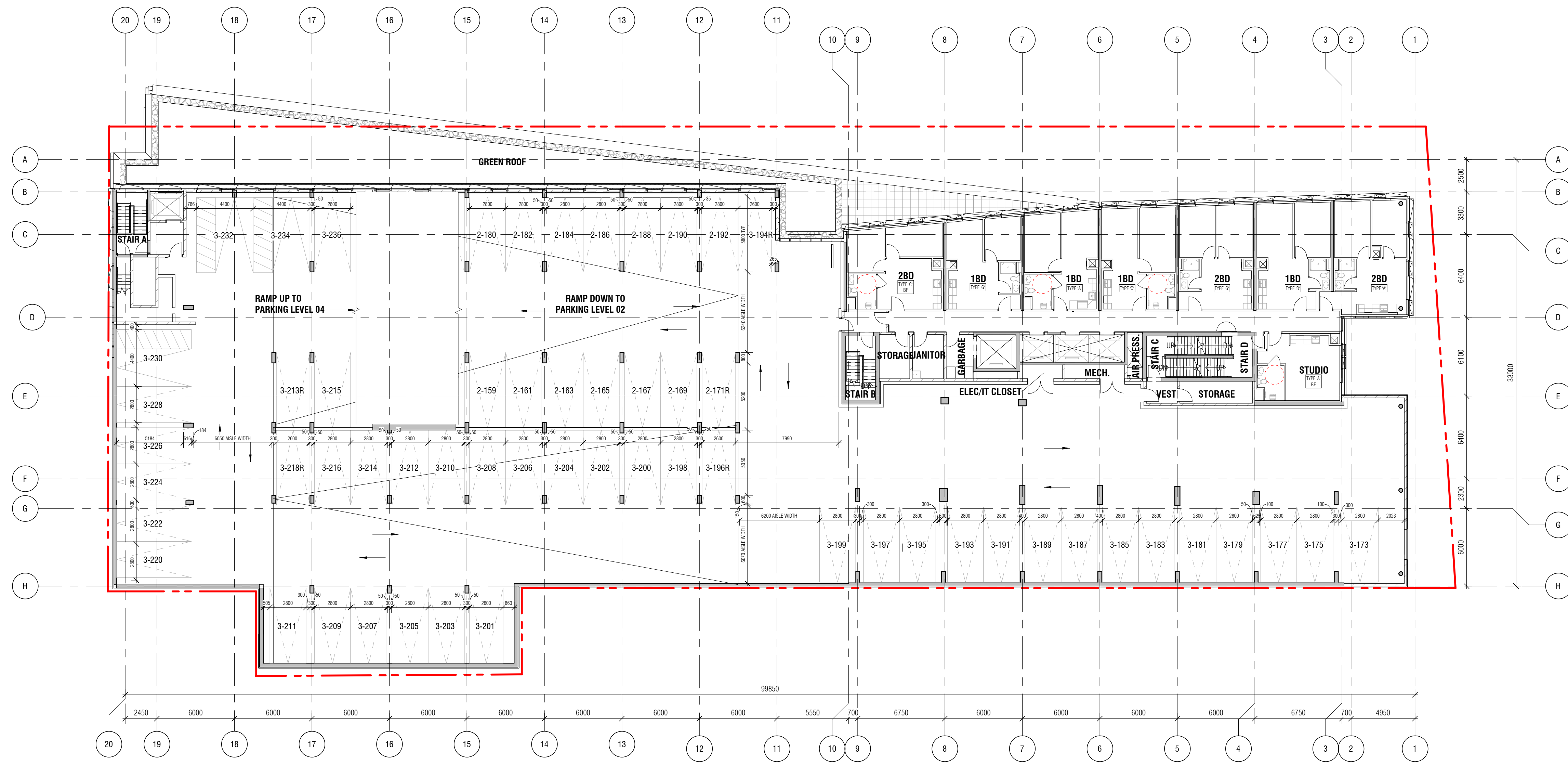
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 Date: 20/07/27

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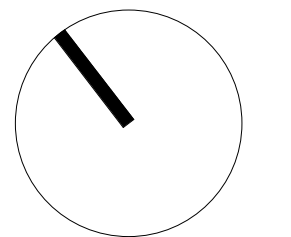
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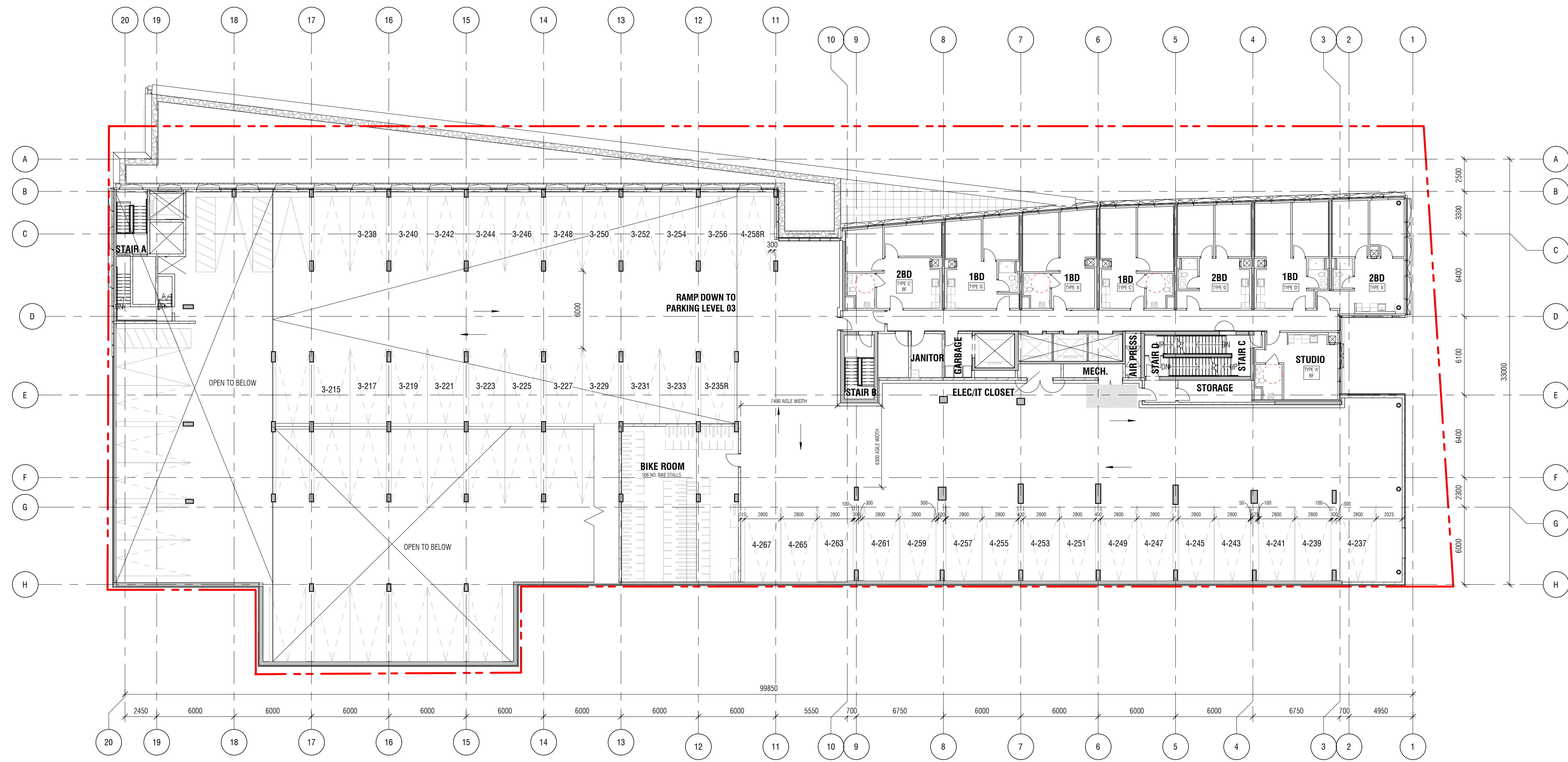
LEVEL 03 PARKING LEVEL 03

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 Date: 20/07/27

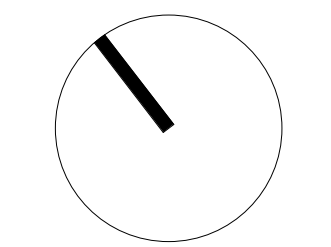
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LEVEL 04 PARKING LEVEL 04

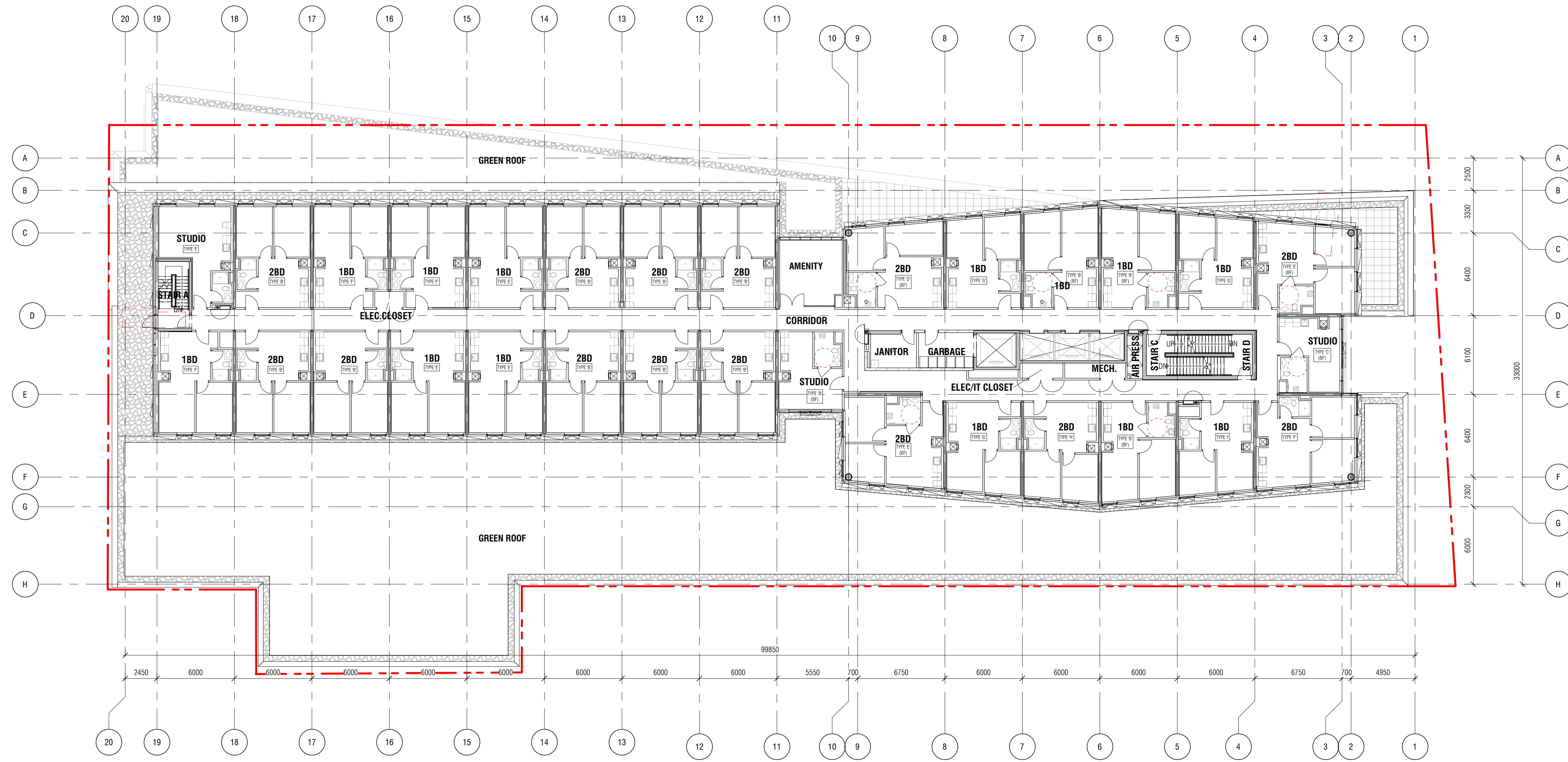
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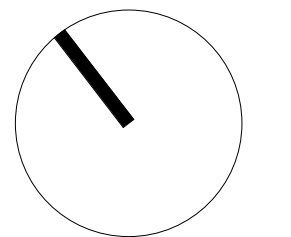
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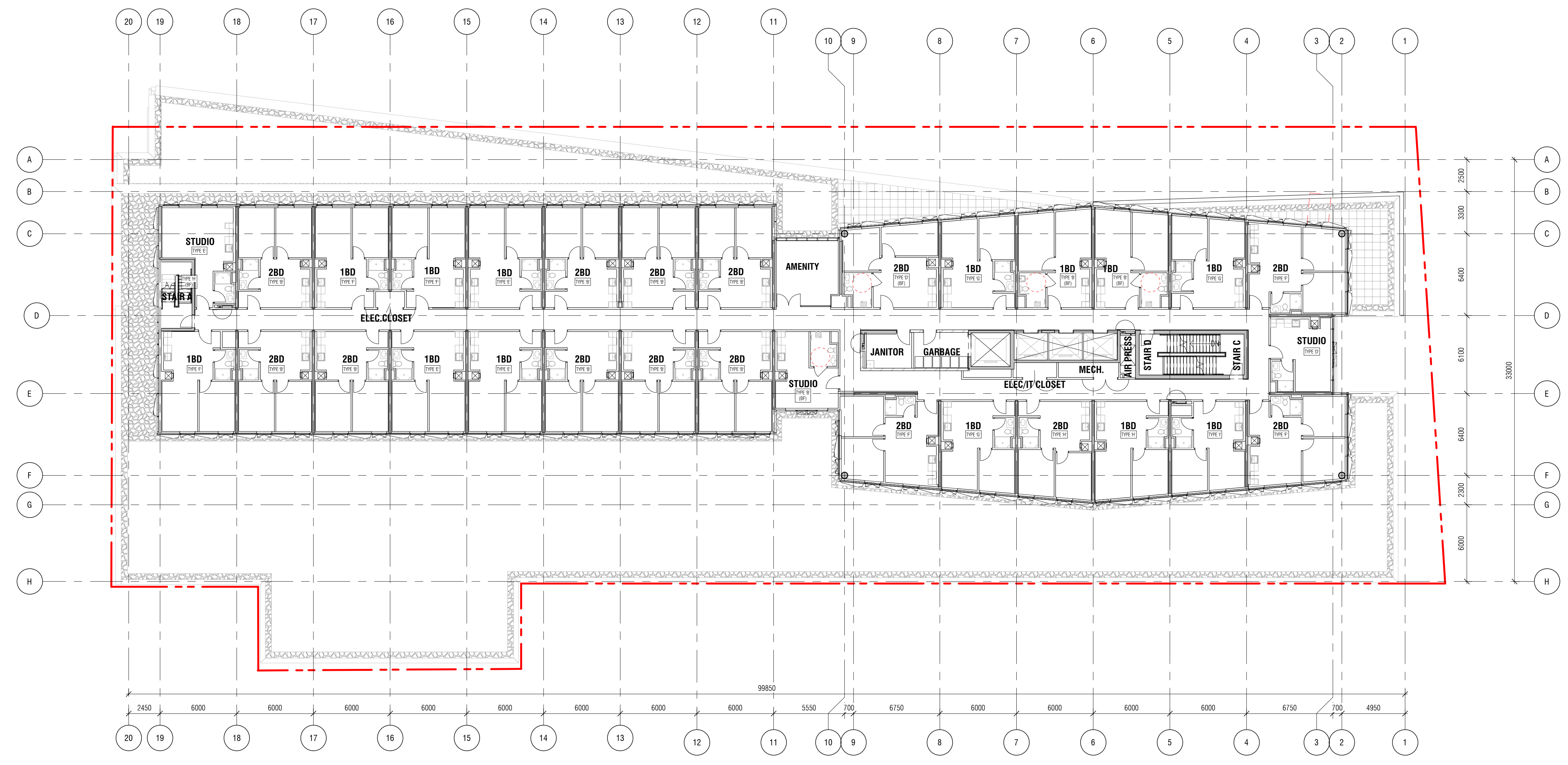
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LEVEL 05

Scale: 1 : 200
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A.106

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LEVEL 06-09 (TYP)

Scale: 1 : 200
Project No: 1903
Date: 20/07/27

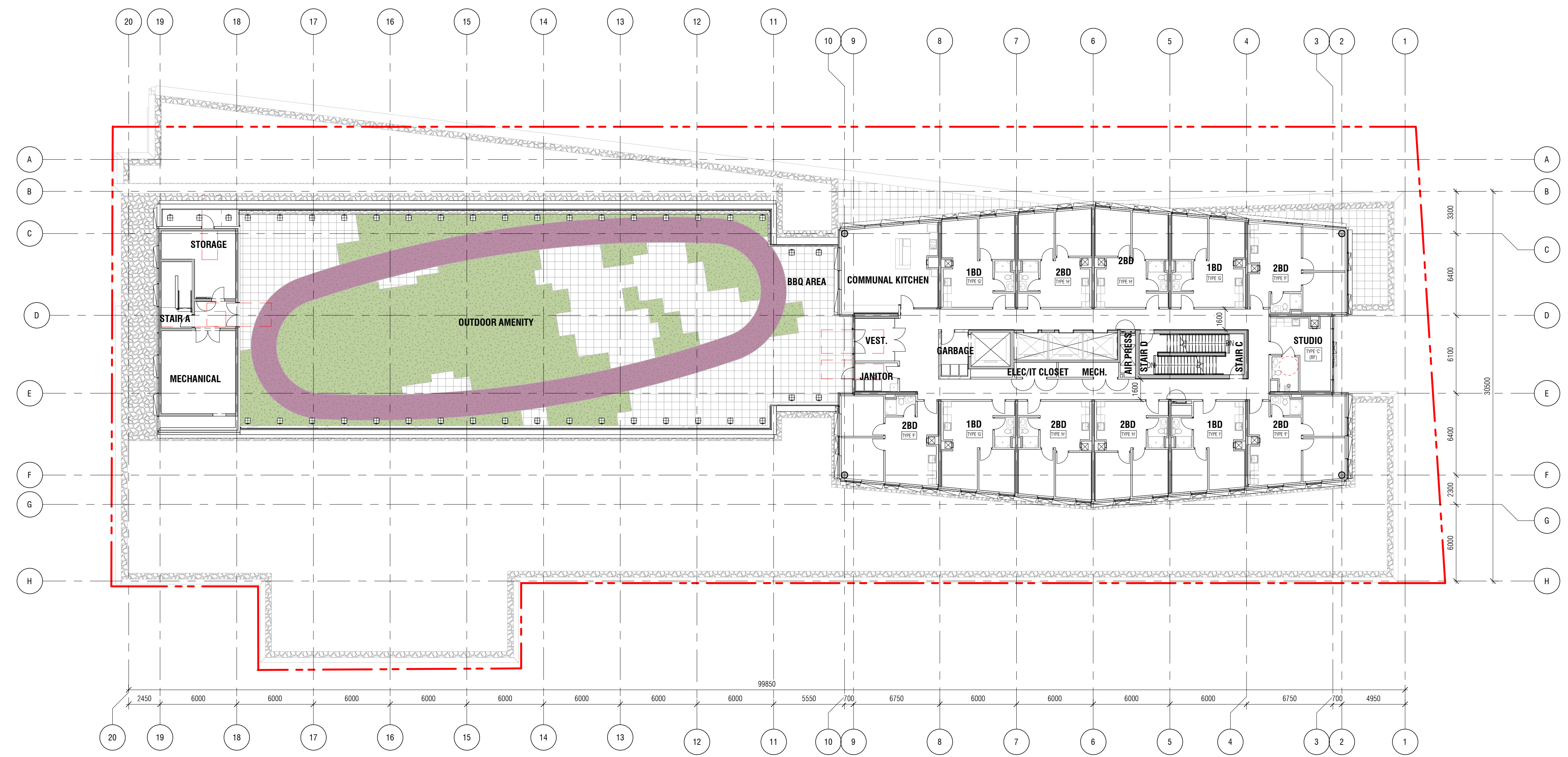
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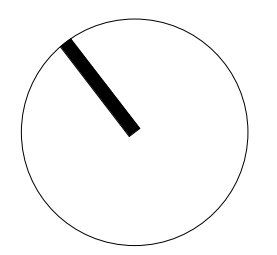
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 Tel: 416 862 8800 Fax: 416 862 5508 info@dsai.ca www.dsai.ca



McMaster University Graduate Student Residence

LEVEL 10

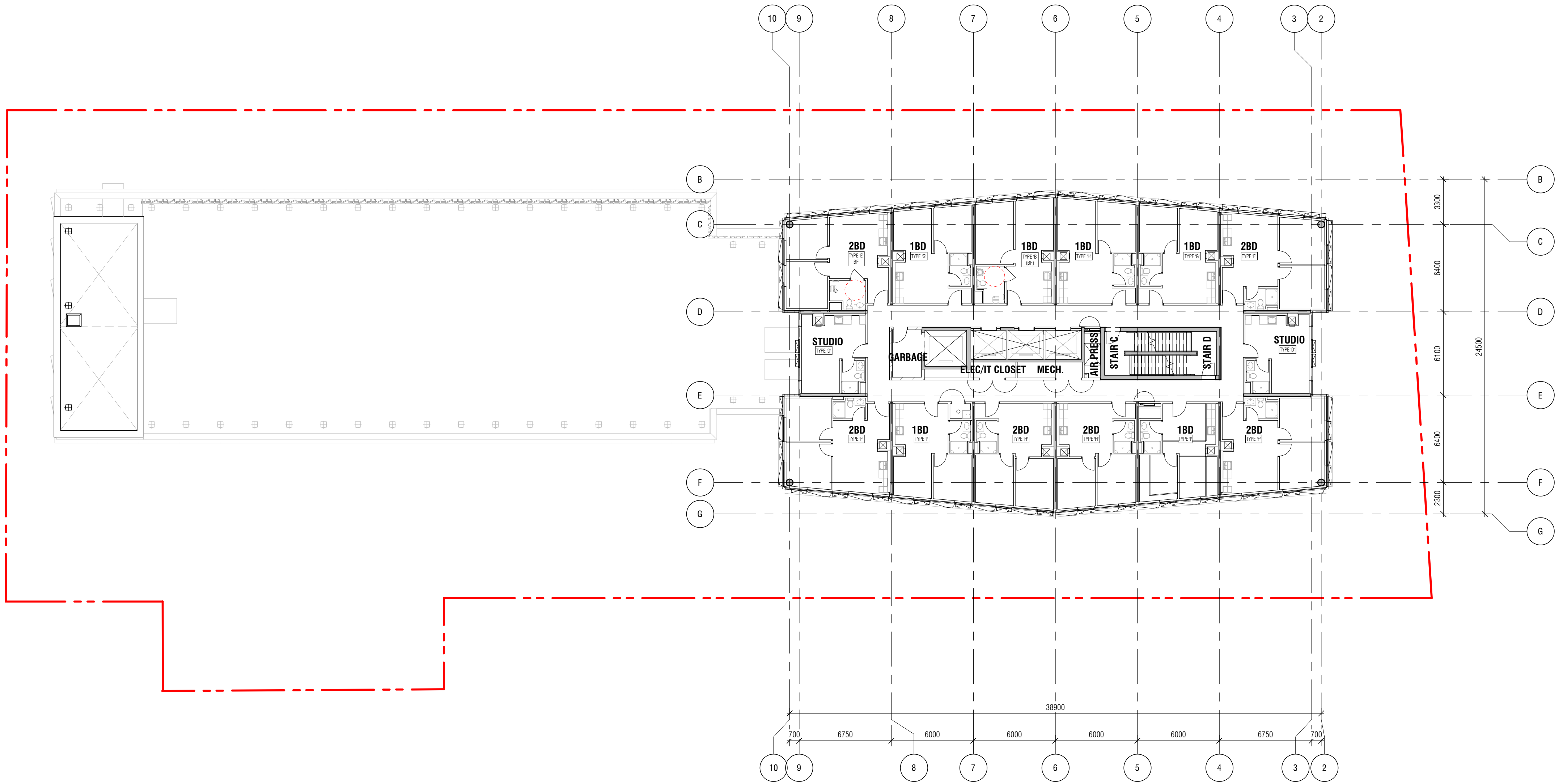
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 Project No: 1903
 Date: 20/07/27

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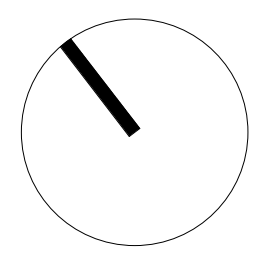
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ISSUED

No.	Date	Description
1	20/03/31	Issued for Site Plan Approval
5	20/06/25	Issued for SPA Resubmission

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McMaster University Graduate Student Residence

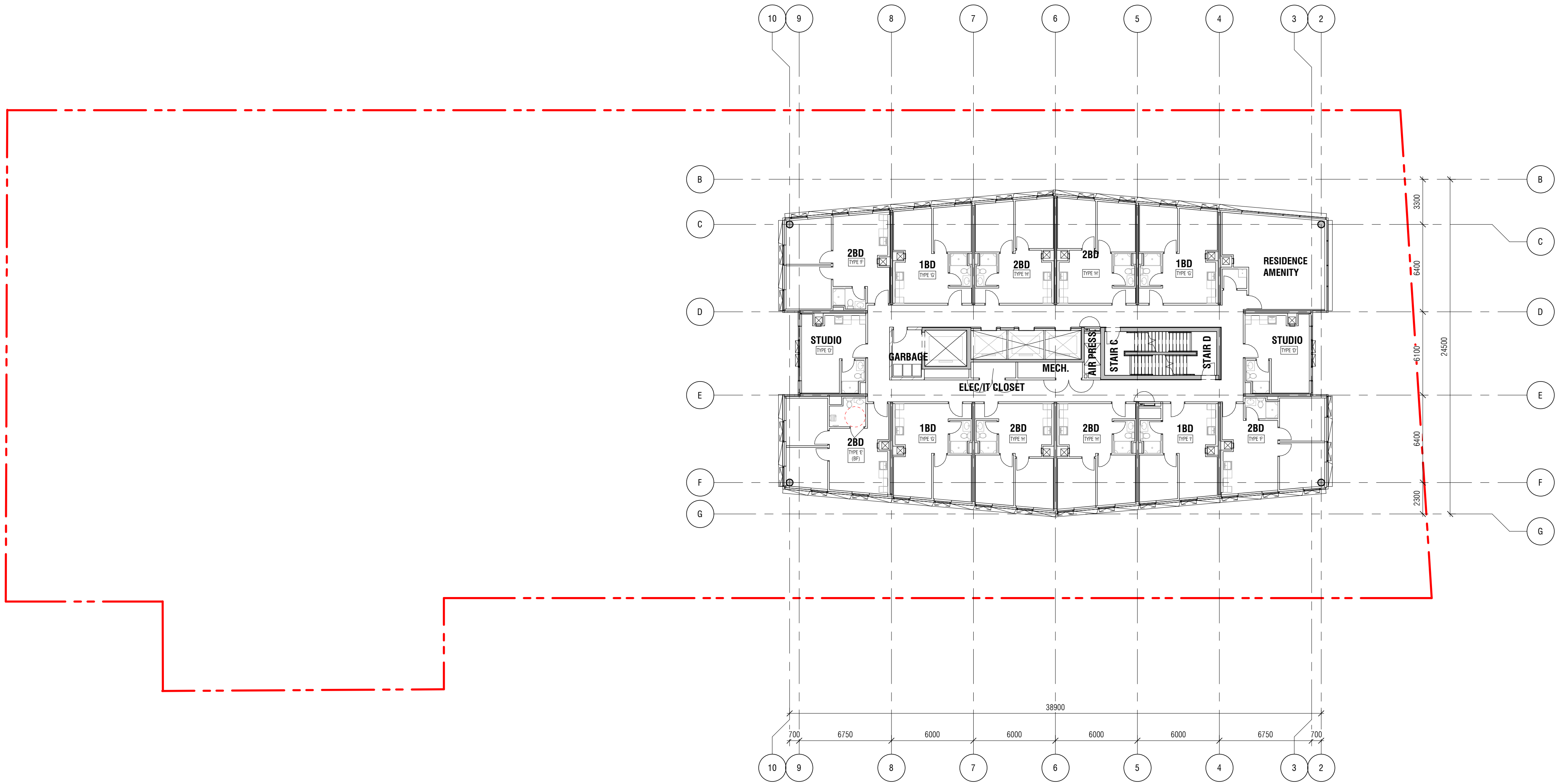
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 Project No: 1903
 Date: 20/07/27

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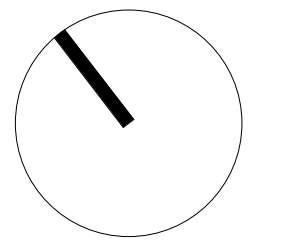
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**McMaster University Graduate
Student Residence**

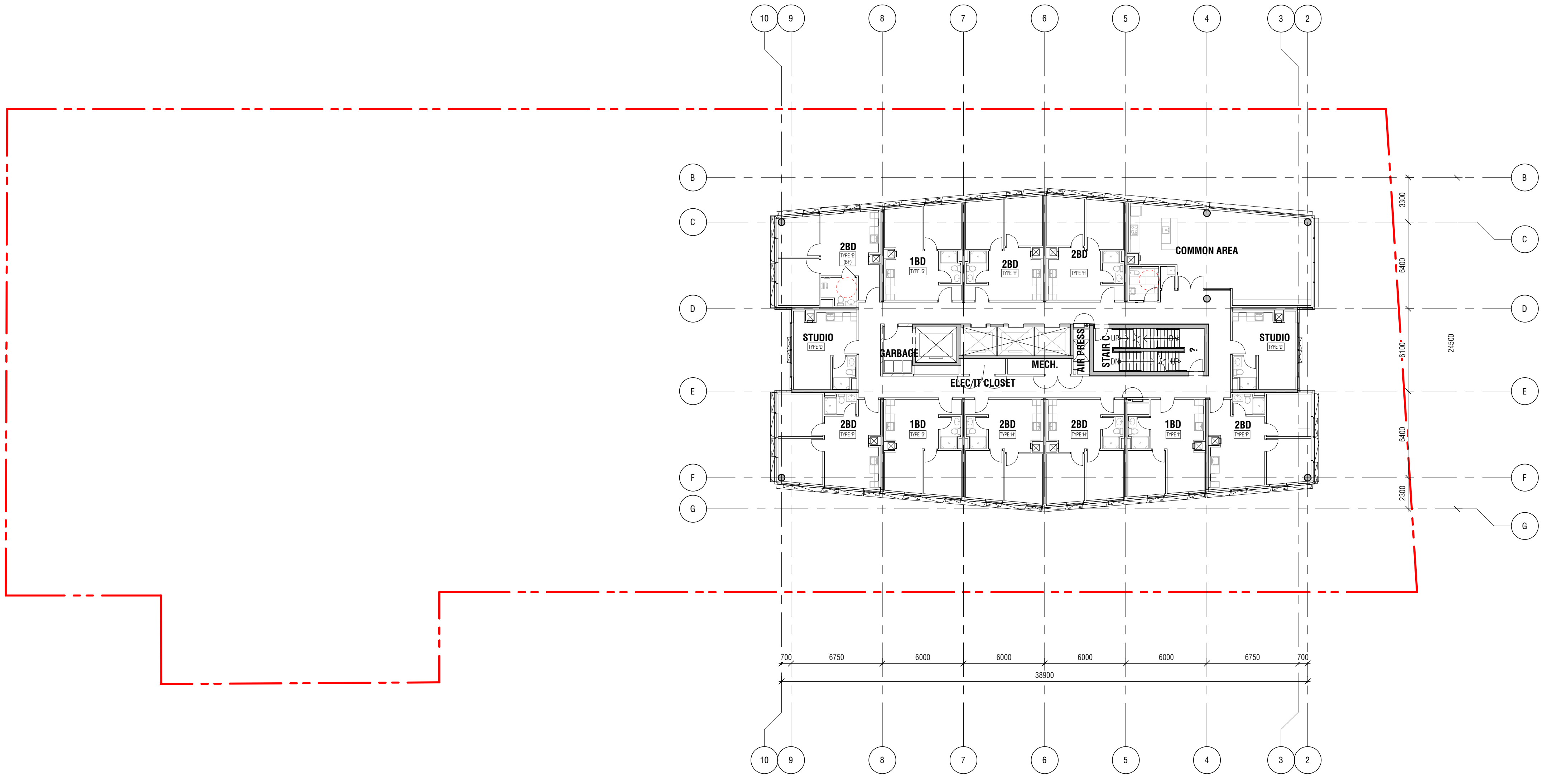
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Scale: 1 : 200
Project No: 1903
Date: 20/07/27

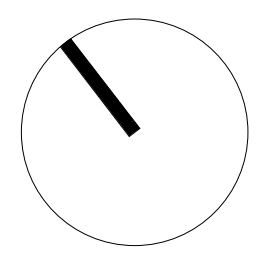
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McMaster University Graduate Student Residence

LEVEL 30

Scale: 1 : 200
 Project No: 1903
 Date: 20/07/27

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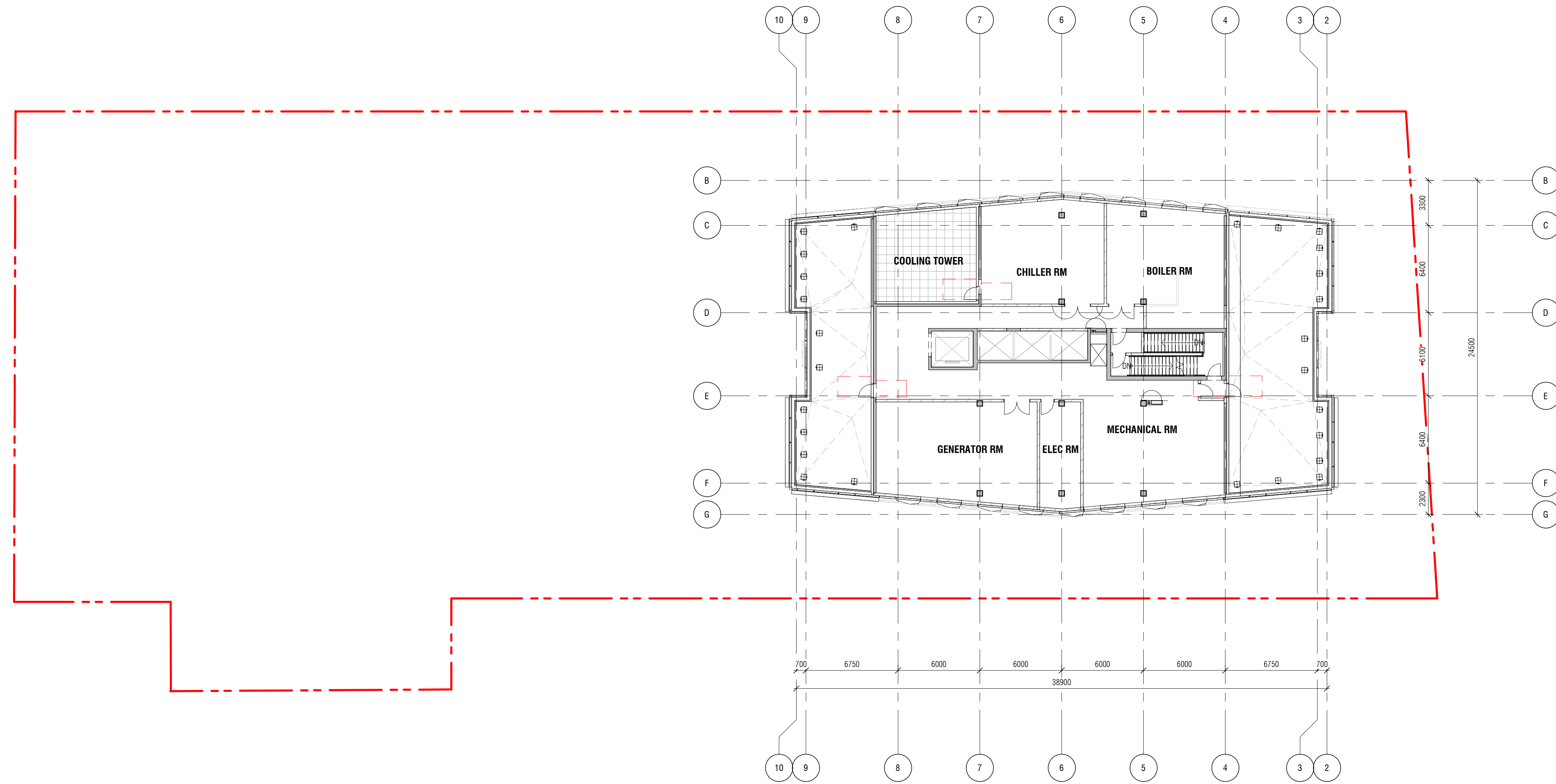
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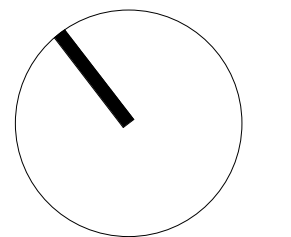
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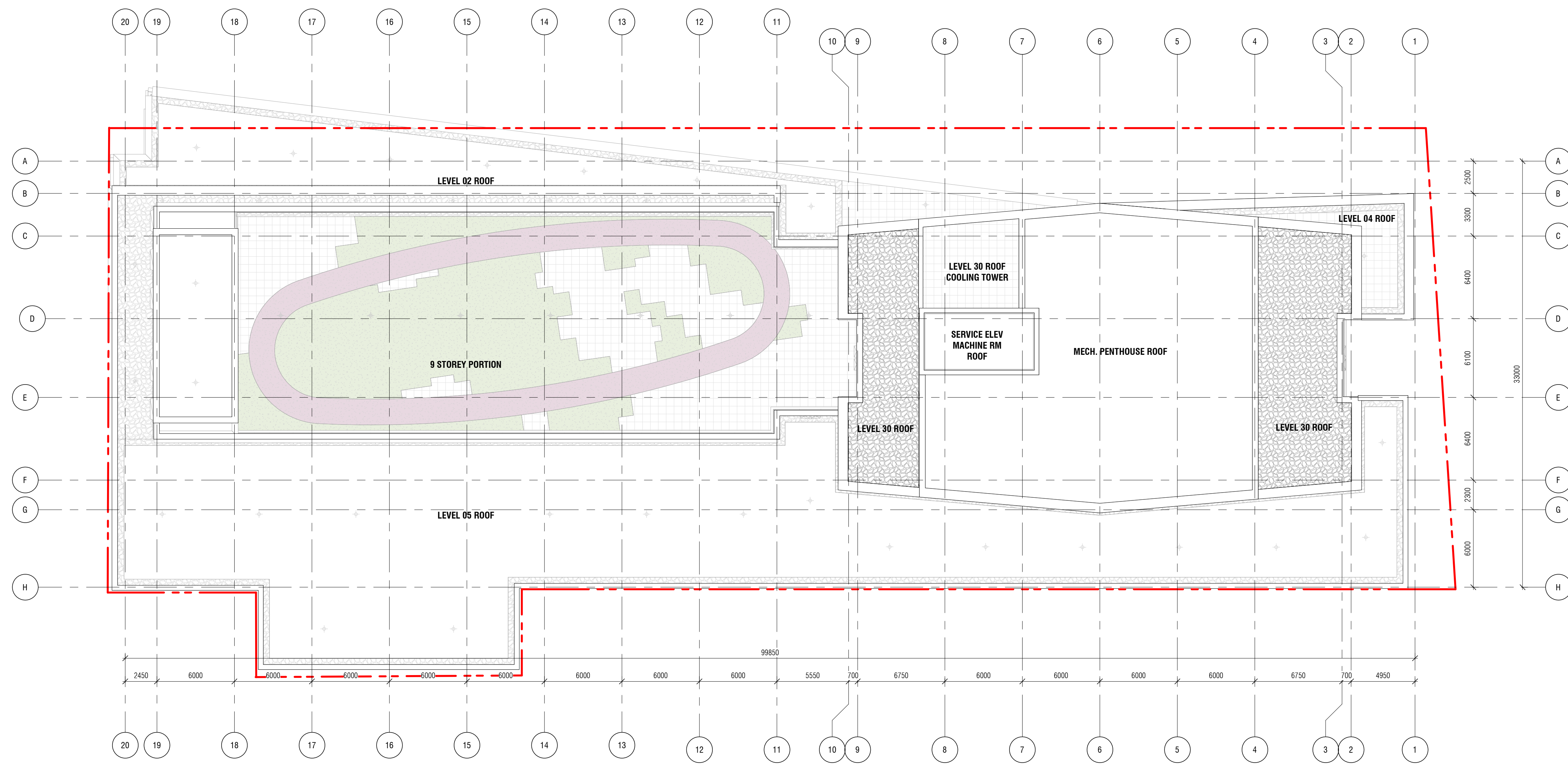
McMaster University Graduate Student Residence

MECHANICAL PENTHOUSE

Scale: 1 : 200
 Project No: 1903
 Date: 20/07/27

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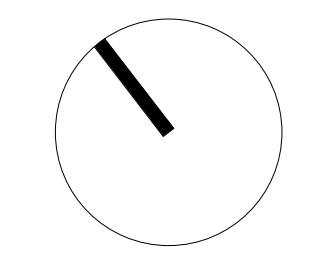
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McMaster University Graduate Student Residence

ROOF PLAN

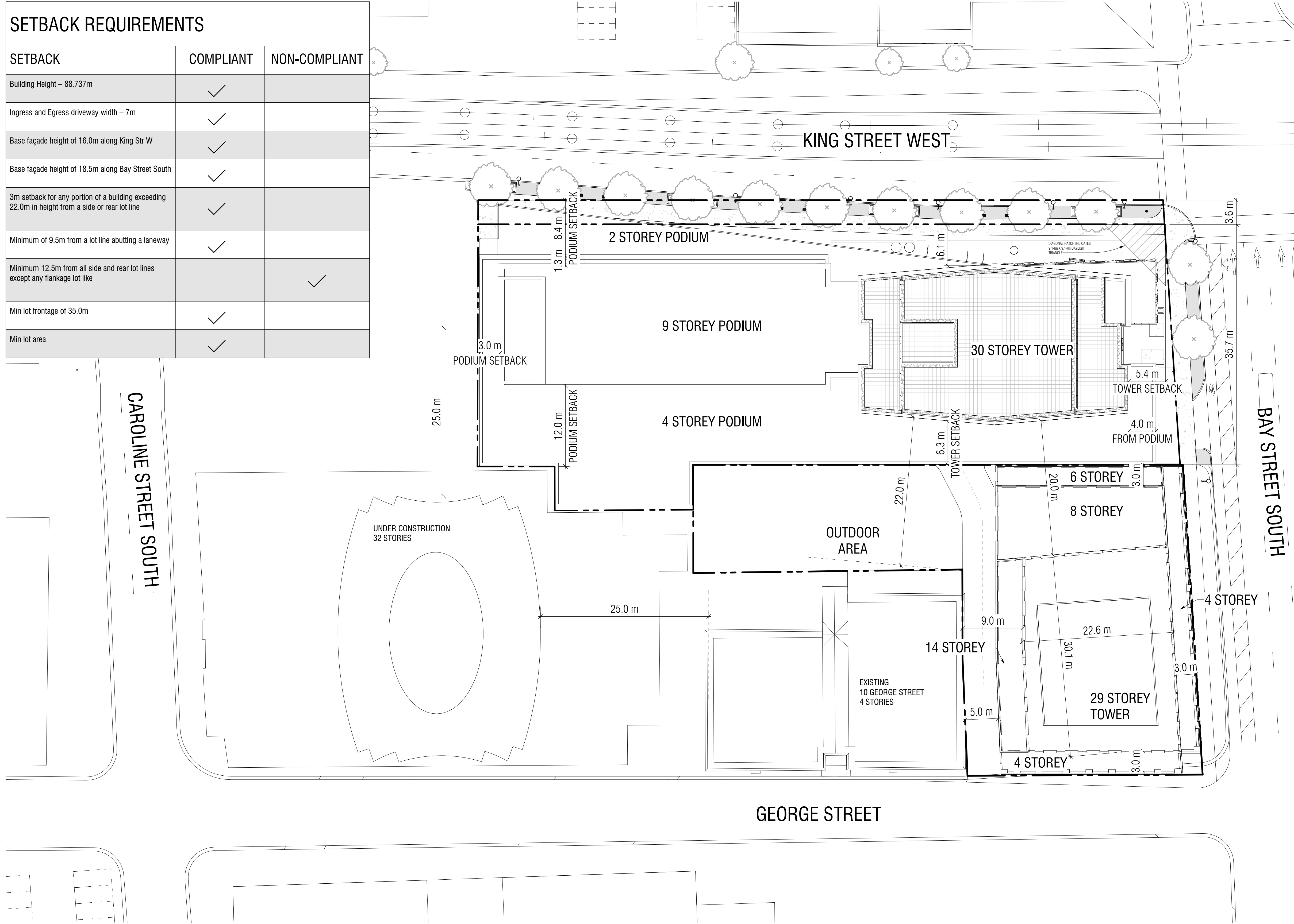
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 Date: 20/07/27

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SETBACK REQUIREMENTS		
SETBACK	COMPLIANT	NON-COMPLIANT
Building Height – 88.737m	✓	
Ingress and Egress driveway width – 7m	✓	
Base façade height of 16.0m along King Str W	✓	
Base façade height of 18.5m along Bay Street South	✓	
3m setback for any portion of a building exceeding 22.0m in height from a side or rear lot line	✓	
Minimum of 9.5m from a lot line abutting a laneway	✓	
Minimum 12.5m from all side and rear lot lines except any flankage lot like		✓
Min lot frontage of 35.0m	✓	
Min lot area	✓	



ISSUED		
No.	Date	Description

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 384 Adelaide Street West, Suite 100, Toronto, Canada M5V1R7
 Tel: 416 862 8800 Fax: 416 862 5508 info@dsai.ca www.dsai.ca

HAMILTON HIGH RISE

Double-click here to enter Project Address

SITE PLAN

Scale: As indicated
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 Date: Double-click here to enter Project Start Date

P0001

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Hamilton

Planning and Economic Development Department
Planning Division

Committee of Adjustment
City Hall
5th floor 71 Main Street West
Hamilton, Ontario L8P 4Y5

Phone (905) 546-2424 ext.4221
Fax (905) 546-4202

**PLEASE FILL OUT THE FOLLOWING PAGES AND
RETURN TO THE CITY OF HAMILTON PLANNING
DEPARTMENT.**

FOR OFFICE USE ONLY.	
APPLICATION NO. _____	DATE APPLICATION RECEIVED _____
PAID _____	DATE APPLICATION DEEMED COMPLETE _____
SECRETARY'S SIGNATURE _____	

**CITY OF HAMILTON
COMMITTEE OF ADJUSTMENT
HAMILTON, ONTARIO**

The Planning Act

Application for Minor Variance or for Permission

The undersigned hereby applies to the Committee of Adjustment for the City of Hamilton under Section 45 of the *Planning Act*, R.S.O. 1990, Chapter P.13 for relief, as described in this application, from the Zoning By-law.

- Leggat Investments Ltd. and Oakland "6" Limited (22 Bay Street South)
(c/o Mary Lu Deakin)
- Name of Owner c/o Paul Leggat (191 King Street) Telephone No. _____
FAX NO. _____ E-mail address. _____
 - Address [REDACTED] _____
Postal Code [REDACTED] _____
 - Name of Agent Bousfields Inc. c/o David Falletta Telephone No. _____
FAX NO. _____ E-mail address. [REDACTED]
 - Address [REDACTED] _____
Postal Code [REDACTED] _____

Note: Unless otherwise requested all communications will be sent to the agent, if any.

- Names and addresses of any mortgagees, holders of charges or other encumbrances:

Postal Code _____

Postal Code _____

6. Nature and extent of relief applied for:
Please refer to attached planning letter

7. Why it is not possible to comply with the provisions of the By-law?
Please refer to attached planning letter

8. Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
191 King Street West and 22 Bay Street South

9. PREVIOUS USE OF PROPERTY
- Residential _____ Industrial _____ Commercial _____
 Agricultural _____ Vacant * _____
 Other Surface parking lot
- 9.1 If Industrial or Commercial, specify use

- 9.2 Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
 Yes _____ No * _____ Unknown _____
- 9.3 Has a gas station been located on the subject land or adjacent lands at any time?
 Yes _____ No * _____ Unknown _____
- 9.4 Has there been petroleum or other fuel stored on the subject land or adjacent lands?
 Yes _____ No * _____ Unknown _____
- 9.5 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
 Yes _____ No * _____ Unknown _____
- 9.6 Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
 Yes _____ No * _____ Unknown _____
- 9.7 Have the lands or adjacent lands ever been used as a weapon firing range?
 Yes _____ No * _____ Unknown _____
- 9.8 Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
 Yes _____ No * _____ Unknown _____

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes _____ No * _____ Unknown _____

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes _____ No * _____ Unknown _____

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?

historical knowledge of the site and conversation with owner.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes _____ No _____

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Date

Signature Property Owner *

Print Name of Owner

10. Dimensions of lands affected:

Frontage Approx. 101 metres (King) Approx. 39 metres (Bay)
Depth 101 metres (King) Approx. 35-72 metres (Bay)
Area 4,192 square metres (King) Approx. 2,163 square metres (Bay)
Width of street Approx. 21 metres (King) Approx. 23 metres (Bay)

11. Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: None

Proposed: 30- storey student residence - 191 King Street West
29- storey student residence - 22 Bay Street South

12. Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)

Existing: None

9.9 If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?

Yes ___ No * ___ Unknown ___

9.10 Is there any reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites?

Yes ___ No * ___ Unknown ___

9.11 What information did you use to determine the answers to 9.1 to 9.10 above?
historical knowledge of the site and conversation with owner.

9.12 If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10, a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.

Is the previous use inventory attached? Yes ___ No ___

ACKNOWLEDGEMENT CLAUSE

I acknowledge that the City of Hamilton is not responsible for the identification and remediation of contamination on the property which is the subject of this Application – by reason of its approval to this Application.

Oct 19, 2020
Date

 *
Signature Property Owner

OAKLAND "6" LTD
Print Name of Owner

10. Dimensions of lands affected:

Frontage	<u>Approx. 101 metres (King)</u>	<u>Approx. 39 metres (Bay)</u>
Depth	<u>101 metres (King)</u>	<u>Approx. 35-72 metres (Bay)</u>
Area	<u>4,192 square metres (King)</u>	<u>Approx. 2,163 square metres (Bay)</u>
Width of street	<u>Approx. 21 metres (King)</u>	<u>Approx. 23 metres (Bay)</u>

11. Particulars of all buildings and structures on or proposed for the subject lands:
(Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: None

Proposed: 30- storey student residence - 191 King Street West

29- storey student residence - 22 Bay Street South

12. Location of all buildings and structures on or proposed for the subject lands;
(Specify distance from side, rear and front lot lines)

Existing: None

Proposed: Please refer to attached site plan

13. Date of acquisition of subject lands:

14. Date of construction of all buildings and structures on subject lands:

15. Existing uses of the subject property: Surface parking lot

16. Existing uses of abutting properties: Surface parking lot, multi-dwelling residential building
14- storey commercial building, hotel

17. Length of time the existing uses of the subject property have continued:

18. Municipal services available: (check the appropriate space or spaces)

Water * Connected *

Sanitary Sewer * Connected *

Storm Sewers *

19. Present Official Plan/Secondary Plan provisions applying to the land:

Downtown Mixed Use - Pedestrian Focused within Downtown Hamilton Secondary Plan

20. Present Restricted Area By-law (Zoning By-law) provisions applying to the land:

D2 H17, H19, H20 - Downtown Mixed Use - Pedestrian Focused - 05200

21. Has the owner previously applied for relief in respect of the subject property?

Yes

No

If the answer is yes, describe briefly.

22. Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

Yes

No

23. The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.

NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps

October 29, 2020

Morgan Evans
Committee of Adjustment
City of Hamilton – Planning and Economic Development Department
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Dear Ms. Evans:

Re: *Minor Variance Application*
191 King Street West and 22 Bay Street South, Hamilton

OVERVIEW

On behalf of our client, Leggat Investments Ltd., (the “owners”) and McMaster University/Knightstone Capital Management Inc. (“applicant”) of the properties municipally known as 191 King Street West and 22 Bay Street South (the “subject site”), we are pleased to submit this Minor Variance application in order to facilitate the construction of a 30-storey McMaster University student residential building and the future development of 22 Bay Street South. In support, the following will provide an overview of the background, description of the site and surrounding, the proposed minor variances, and our planning opinion.

BACKGROUND

On April 17, 2020, Site Plan Application DA-20-058 was submitted to the Planning Department in order to facilitate the construction of a 30-storey McMaster University student residence building on the subject site. In addition, McMaster University and Knightstone Capital Management Inc. have conditionally purchased the lands at 22 Bay Street South.

On May 29, 2020, Zoning Staff issued comments related to the initial site plan submission and identified areas of non-compliance with Zoning By-law 05-200 specifically related to building setbacks.

In order to advance Site Plan Application DA-20-058 and secure development rights for 22 Bay Street South, the subject minor variance application has been submitted.

SITE AND SURROUNDINGS

The subject site is comprised of two parcels, being 191 King Street West and 22 Bay Street South, located on the south side of King Street West, west of Bay Street South and north of George Street in the City's downtown core. The subject site is 'L'-shaped and has a site area of approximately 6,370 square metres (1.57 acres) with frontages of approximately 85.3 metres along Bay Street South and 101 metres along King Street West. The subject site is currently occupied by a commercial surface parking lot.

In terms of surrounding uses, the subject site is surrounded by:

- low rise commercial retail and restaurant uses to the north (along the north side of King Street West);
- high-rise buildings accommodating a commercial mall with office, entertainment and hotel uses to the north-east;
- a surface parking lot with low and high-rise buildings accommodating cultural, entertainment and office uses to the east;
- low and high-rise buildings accommodating hotels, office and institutional uses to the south and south-east;
- a high-rise mixed use building to the south west; and,
- low and mid-rise commercial uses to the west.

Proposal

The proposed development seeks to evolve McMaster's Downtown precinct, which includes the existing McMaster University David Braley Health Sciences Centre, the subject site and the surface parking lot at the south-east corner of King and Bay. The evolution includes the addition of a 30-storey McMaster University graduate student residence building and a future 29-storey McMaster University mixed use building on the subject site (see **Figure 1**). The proposed buildings will reimagine this surface parking lot with two architecturally significant buildings that will frame and animate the King Street West and Bay Street South public realms and add enhance the City's changing skyline with two new slender towers (see **Figures 2 and 3**).

The McMaster University Graduate student residence building, includes:

- Gross Floor Area – 38, 655.8 square metres
- Building Height – 88.73 m
- Number of Storeys – 30
- Total Number of Units – 453
- Vehicle Parking – 263 stalls
- Bicycle Parking – 256 spaces

The future McMaster University Mixed-Use building has not yet been programmed but has been designed to provide a built form that enhances the public realm and meets the general intent of the recently approved Downtown Hamilton Secondary Plan (the “Secondary Plan”) and zoning.

REQUESTED MINOR VARIANCES

A Minor Variance application is needed to facilitate the development of the 30-storey McMaster University graduate student resident building (as filed in Site Plan Application DA-20-058) and to protect for the future development of 22 Bay Street South. The variances being sought in support of the proposal are as follows:

Variance 1 – Consolidated Lot Development

Section 3, definition of “Lot”, and regulation 4.16 a) of Zoning By-law 05-200

Notwithstanding the definition of “Lot” in Section 3 and the consolidated lot regulation in 4.16 a), the lands located at 191 King Street West and 22 Bay Street South will be deemed a *lot* and the internal lot lines shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of By-law 05-200 to the consolidated lot development and its external lot lines are complied with.

Variance 2 – Setback from Bay Street South

Regulation 6.2.3 a) i) of Zoning By-law 05-200, as amended

That a 9.1 metre building setback from a street line be permitted, whereas the By-law requires that a building setback from a street line be a maximum of 2.0 metres for any portion of building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access.

Variance 3 – Location of Entrance***Regulation 6.2.3 c) vi) 1 of Zoning By-law 05-200, as amended***

That no principle entrance shall be provided within the ground floor building façade setback the least distance from a street, whereas a minimum of one principle entrance shall be provided within the ground floor building façade setback the least distance from a street is required.

Variance 4 – Tower Setback***Regulation 6.0 c) iii) 2 of Zoning By-law 05-200, as amended***

That a 9.0 metre setback from the side yard lot line be permitted for the south tower along the side yard abutting 10 George Street, whereas the By-law requires for any portion of building exceeding 44.0 metres in height be a minimum of 12.5 metres from all side and rear lot lines.

Variance 5 – Tower Separation Distance***Regulation 6.0 d) of Zoning By-law 05-200, as amended***

That a 20.0 metre tower separation distance be provided between the towers on the subject site, whereas the By-law requires for any portion of building exceeding 44.0 metres in height a distance of 25.0 metres shall be provided between exterior walls on the same property.

Variance 6 – Floor Heights***Regulation 6.0 e) iii) of Zoning By-law 05-200, as amended***

That a 3.575 metre ground floor storey height and a 2.8 metre 3rd storey height be permitted, whereas the ground floor storey shall be no less than 3.6 metres in height and no greater than 4.5 metres in height and that the second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height.

Variance 7 – Parking Design Standards**Regulation 5.2 b) iii) of Zoning By-law 05-200, as amended**

That where a column is located abutting or within any parking space within an above ground or underground parking structure, the minimum clearance shall be 50mm, whereas the By-law requires that where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres.

PLANNING ANALYSIS

Section 45(1) of the *Planning Act* authorizes the Committee of Adjustment the authority to grant a minor variance from the provisions of the by-law, in respect of the land, building or structure, or the use thereof, if, in its opinion, it meets the following four tests:

1. Maintaining the general intent and purpose of the Official Plan

The subject site is designated *Downtown Mixed-Use Area* within the Urban Hamilton Official Plan (the “UHOP”), Schedule E-1 and designated *Downtown Mixed Use* and identified as *Pedestrian Focused* within the Secondary Plan on Map B.6.1-1. As the proposal seeks to develop the subject site for a use that is permitted by the UHOP and Secondary Plan and in a tall building development form that conforms to the built form and urban design policies of the secondary plan, it is our opinion that the proposal maintains the general intent and purpose of the Official Plan.

2. Maintaining the general intent and purpose of the Zoning By-law***Variance 1***

The purpose and intent of the Zoning By-law is to define a “Lot” in order to determine how the regulations apply to individual lands and ensure the orderly development of each lot so as to not impact the development potential of abutting lands.

In this regard, the proposed variance is intended to allow for a consolidated development of two parcels, which McMaster University is proposing to develop

comprehensively as part of their Downtown campus. In our opinion, the proposed variance will allow for a consolidated development proposal that will ensure the orderly development of the subject site's block, which maintains the general intent and purpose of the zoning by-law.

Variance 2

The applicable zoning for the subject site requires a maximum building setback from a street line of 2.0 metres for any portion of building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access, whereas the applicant is proposing a building setback of 9.1 metres from a portion of the ground floor of the proposed McMaster Graduate Student residence along Bay Street South. The general intent and purpose of this zoning provision is to provide a consistent urban pedestrian focused streetscape with buildings pulled to the street line.

It is our opinion that the proposed 9.1 metre setback meets the general intent and purpose of the Zoning By-law as it will still provide an urban pedestrian focused streetscape that is consistent with the surrounding area and will allow for adequate pedestrian landscape features.

Variance 3

The applicable zoning for the subject site requires at least one principle entrance shall be provided within the ground floor building façade setback the least distance from a street, whereas the proposal does not provide a principle entrance within the ground floor setback the least distance from a street. The general intent and purpose of this provision in the By-law is to ensure that an entrance is provided close to the street that is visible and easy to access for the public and users of the building.

The proposal includes a large principal entrance with overhang at the corner of King and Bay Streets, which will allow for an active and animated entry at a key intersection in the Downtown. It is our opinion that the proposed principal entrance at the corner is appropriate and represents good urban design and maintains the general intent and purpose of the Zoning By-law, since it will be visible and provide easy access to pedestrians and users of the building.

Variance 4

The applicable zoning for the subject site requires that for any portion of building exceeding 44.0 metres in height, a minimum of 12.5 metres setback be provided from all side and rear lot lines, whereas the proposal provides a 9.0 metre setback from the side lot line abutting 10 George Street.

The general intent and purpose of this provision in the Zoning By-law is to provide adequate spatial separation distance between residential towers on site and for adjacent lands in order to achieve a 25-metre separation distance between tower portions of buildings, to allow for orderly development, to provide for space for transition, light, view and privacy.

Based on our review and analysis of the subject site's block (see **Figure 1**), which is bounded by King Street West to the north, Bay Street South to the east, George Street to the south and Caroline Street South to the west, which includes an existing 32-storey tower at 22 George Street, it is our opinion that the proposed tower locations are appropriate from a block planning perspective. The reduced setback (from 12.5 metres to 9 metres) does not limit the ability of 10 George Street to develop a tall building, instead other factors such as lot size and feasibility of replacing the existing building will determine the feasibility of redeveloping the lands at 10 George Street. Furthermore, the Owner has had discussions with the Owners of 10 George Street, who are supportive of the proposed minor variance. It is our understanding that they will be providing a letter in support of the subject application and this variance.

In our opinion, the proposed 9 metre setback is appropriate as it relates to the existing 4-storey office building, whose side façade interfaces with the subject site and is built to the lot line and the proposed reduction will not limit it's ability to redevelop in the future. In terms of transition, the proposed reduction of 3.5 metres is, in our opinion, sufficient to provide a transition in built form from the proposed tower to the surrounding buildings in this downtown context. The orientation and location of the existing and proposed towers will result in appropriate space for light, view and privacy. As such, it is our opinion that the proposed minor variance maintains the general intent and purpose of the zoning by-law. Furthermore, the existing holding provision H17 that applies to the subject site requires that all development conform to the Downtown Hamilton Secondary Plan and that a shadow impact study, pedestrian level wind study, and visual impact assessment,

among other items, be submitted. This holding provision will ensure that the policies related to transition, light, view and privacy are achieved.

Variance 5

The Zoning By-law requires for any portion of building exceeding 44.0 metres in height a distance of 25.0 metres shall be provided between exterior walls on the same property, whereas the proposal is for the towers to be separated by 20 metres.

The general intent and purpose of this provision in the Zoning By-law is to provide adequate spatial separation distance between residential towers on site and for adjacent lands in order to provide for space for transition, light, view and privacy. In our opinion, the proposed 20 metre separation distance between towers has been accepted as an appropriate separation distance in high-rise contexts, equal to or greater than a typical road right-of-way and such separation distances are typical in an urban downtown. In our opinion, and based on our analysis, the proposal provides adequate space for light, view and privacy. Furthermore, the proposed McMaster University Graduate Student residence will not include balconies, which can project into the separation distance, further limiting the potential built form impacts. As such, it is our opinion that the proposed minor variance maintains the general intent and purpose of the zoning by-law.

Again, as noted earlier, the existing holding provision H17 that applies to the subject site requires will ensure that the policies related to transition, light, view and privacy are achieved.

Variance 6

The Zoning By-law requires the ground floor storey to be no less than 3.6 metres in height and no greater than 4.5 metres in height and that the second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height, whereas the proposal provides a 3.575 metre ground floor storey in height and a 2.8 metre 3rd storey in height. The general intent and purpose of this provision is to provide adequate floor to ceiling height to accommodate internal servicing and loading and to provide for an active commercial streetscape. It is our opinion the proposed floor heights of 3.6 and 2.8 metres are sufficient and will allow for internal servicing as well as an active commercial streetscape, since these details have been provided through the site plan control process.

Variance 7

The Zoning By-law requires that an additional 0.3 metres be provided for a parking stall width when the stall is located abutting or within any wall, column or any other obstruction, whereas the proposal provides a 50mm additional width for parking stall adjacent to a column. The general intent and purpose of this provision is to ensure adequate space is being provided for vehicles to enter and exit stalls safely as well as to open and close doors with no obstructions. It is our opinion that the additional 50mm wide parking stalls next to columns will still provide sufficient space for vehicles to maneuver in a safe and operable way. Based on discussions with our transportation consultant, who have confirmed that there is sufficient space based on other municipalities in Southern Ontario, it is our opinion that the purpose and intent of the zoning by-law is maintained.

3. Desirable and appropriate for the development of the land

It is our opinion that the variances being requested are desirable and appropriate for the development of the land as it will allow for the subject site to continue the evolution of the McMaster Downtown precinct with uses and a built form that is planned for by the recently approved Secondary Plan.

4. Minor in nature

In our opinion, all the requested variances are minor in both a quantitative and qualitative perspective. Minor can not only be contemplation through a numerical calculation, but also based on an analysis and potential impact the subject site or surrounding area may be exposed to. In our opinion, the minor variances generally relate to built form requirements of the Zoning By-law, which are prescriptive and do not take into account the subject site's specific characteristics, including the surrounding context. The proposed variances are minor in nature and seek to slightly modify the Zoning By-law requirements to implement the City's vision, as described in the Secondary Plan. Accordingly, it is our opinion that the proposed variances are minor and should be supported.

Summary Opinion

Based on the foregoing, it is our opinion that the requested variances satisfy the four-part test set out in the Planning Act and we respectfully respect that the Committee of Adjustment approve the application.



Enclosed are the McMaster University Graduate Site Plan and 22 Bay Street South concept plans for your review.

We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact the undersigned or Joe Buordolone of our office at 905-549-3005.

Yours very truly,
Bousfields Inc.

A handwritten signature in black ink, appearing to be "DF", written over a circular scribble.

David Falletta, MCIP, RPP

jb/DF:jobs

Attachments (3)

Cc: S. McKie, City of Hamilton (via e-mail)